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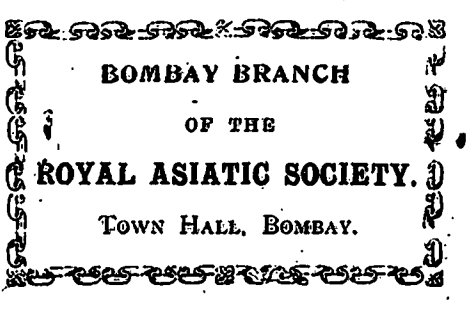

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SIR THOMAS FAIRFAX.

FROM AN ORIGINAL PORTRAIT PAINTED BY GERARD ZOUST, CIRCA 1656.

FORMERLY AT LEEDS CASTLE.

THE FAIRFAX CORRESPONDENCE.

MEMOIRS OF THE REIGN

OF

CHARLES THE FIRST.

EDITED BY

GEORGE W. JOHNSON, ESQ.,
Barrister-at-Law.

TWO VOLUMES.

VOL. I.

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CONTENTS OF VOL. I.

PAGE

Historical and Biographical Memoir of the Fairfax Family . . . xiii

CHAPTER I.

The Fairfax MSS.—Epitaph on James the First, by Edward Fairfax, the Poet—Accession of Charles the First—Dissolution of the Old Parliament—General Election—Sir Thomas Fairfax and Sir Thomas Wentworth stand for Yorkshire—Correspondence connected with the Election—Sir Thomas Fairfax's Letter to the Lord President—Sir George Wentworth to Sir T. Fairfax—Sir Thomas Wentworth to the same—Sir T. Wentworth returned—Sir T. Fairfax buys a Peerage—His Letters to Lord Colville—The Plague rages—Adjournment of the Parliament to Oxford—The Lord Keeper's warning to the King and Buckingham on its Dissolution—Admiral Pennington—His refusal to deliver up the English Ships—Sir Ferdinand Gorge—Empty Exchequer—Necessity for speedily re-assembling Parliament—The enmity between the Duke and the Lord Keeper—Lord Keeper resigns the Seals—Sir Thomas Coventry succeeds—The Parliament re-assembles—Sir Ferdinando Fairfax again returned to Parliament—Letters to his Father—The King nominates Seven Sheriffs—Struggle against their selection—Sir E. Coke objects to the Sheriff's Oath—Proclamations against Papacy—The Coronation—Omens of future evil—Laud assists at the Coronation to the exclusion of Williams—The Parliament re-assembles—King's peremptory Messages—Dr. Turner's impeachment of Buckingham—The King's Anger—He summonses both Houses to Whitehall—His severity to the Commons—Buckingham's explanation to the House—The Cause of Causes—The Earl of Bristol—Charges against the Duke—Buckingham likened to Sejanus—The King interferes—Sir Dudley Digges and Sir John Eliot committed to the Tower—Buckingham, Chancellor of Cambridge—Imprisonment of the Earl of Arundel offends the Lords—The King dissolves the Parliament—Remonstrance of the Commons—Lord Arundel again imprisoned—Earl of Bristol re-committed to the Tower 1

CHAPTER II.

Letters between Sir Thomas Fairfax and his son Ferdinando—Thomas Fairfax, the Parliamentary General—Letters between the Rev. H. Fairfax and Mary Cholmeley—Her Epitaph—Illegal Taxation—

PAGE

Popular Opposition—Drs. Sibthorp and Abbot—Expenditure of the Supplies—Letter from Sir W. Constable to Sir F. Fairfax—Arbitrary Proceedings—Punishment of those who refused to advance money——Illegality of the Imprisonments—John Selden—The Judges—Chief Justice Crew displaced—Sir John Eliot—Letters to the Gentry of England—Secret Instructions—Letter of Lord Fairfax to the Lords of the Council—The Poorer Classes summoned to London—Buckingham attempts to debase the Coinage—Letters of Sir J. Ogle and Lord Exeter to Sir T. Fairfax—Expedition against Rochelle—Buckingham is accused of Treachery by the Duke of Rohan—Dissatisfaction of Army and Navy—Their Outrageous Proceedings—Stagnation of Commerce—Sir Robert Cotton's Advice 56

CHAPTER III.

Sir Robert Cotton's advice adopted—The Loan Recusants restored to Liberty—Twenty-seven returned to Parliament—Letter to Lord Fairfax—Popular feeling against the Court Candidates—Elections for Westminster and Yorkshire—Parliament assembles—The King's unconciliating Speech—Parliament persists in demanding Redress of Grievances—Silence relative to Buckingham—Enquiry for the Bishop of Lincoln—Lord Keeper Coventry's evasive Reply—Petition for a General Fast—Billeting Soldiers—Encouragement of Catholics—The King's impatience—Commons resolve that Redress of Grievances and the Supply shall not be separated—Five Subsidies voted—Sir John Cooke bearer of the good news to the King—Buckingham's expressions of pleasure distasteful to the Commons—Sir J. Eliot—The King anxious for Payment of Subsidies—Petition of Right—The King endeavours to evade the Bill—Influenced by Buckingham—The Commons again denounce the Duke—The Speaker's absence from the House—Charles yields his assent to the Bill—Joy of the Commons—Bill for payment of Subsidies passed—Commission empowering the Lord Keeper and others to raise Money—Opposed by the Commons—Question of Tonnage and Poundage—The King prorogues Parliament—Order to reprint Petition of Right—Charges against Buckingham—Neale and Laud—Titles of the Duke—Dr. Mainwaring fined and imprisoned 87

CHAPTER IV.

The King's patronage of Drs. Mainwaring and Montague—Mr. Kirton—Popish followers of Henrietta Maria—Her disregard of the Pope's mandate at her marriage—Unbecoming conduct of the Queen's French attendants — Charles insists on their dismissal — Their departure—Arrival of the French ambassador—King's letters to

PAGE

Buckingham and to the French King—Queen's vow to educate her children in the Faith of Rome—Details of Popish intrigues—The Court tampers with leaders of the Commons—Sir T. Wentworth—Pym's rebuke—Mr. Wandesford—Wentworth's rapid promotion—Succeeds Lord Falkland as Lord Lieutenant of Ireland—The Great Earl of Cork—His remarkable career—Assassination of Buckingham—His previous warnings—Letter from Sir W. Fairfax to Sir T. Fairfax of Denton—John Felton the assassin—His fearless bearing—Sir John Hippesly bears the tidings of the murder to the King—His distress and wrath—Sympathy of the Puritans with Felton—Rev. Mr. Gill—Felton before the Privy Council—His reply to Laud—The King sanctions torture—Forbidden by the laws of England—Felton pleads guilty—Is hanged at Tyburn. 113

CHAPTER V.

Successors of Buckingham—Sir. T. Wentworth—The Marquis of Hamilton and Dr. Laud—Character of Laud—Prorogation of Parliament—Letters from Ferdinando Fairfax to his Father, Lord Fairfax, at Denton—Letters from Thomas Fairfax, afterwards Parliamentary General, to Lord Fairfax his Grandfather—Letters to the same from Lord Fauconberge and Mulgrave—Letter from Lord Fairfax to the Lord President—Letter from H. Goodricke to Lord Fairfax—Parliament assembles—The Commons continue the same politic course as before—Subsidies of Tonnage and Poundage—The Merchants of England—Richard Chambers fined and imprisoned—Illegal Seizure of Merchandise—The King summonses both Houses to Whitehall—His conciliatory Address—Errors of the Parliament—Care for the Protestant Church—Progress of Popery—Jesuits' College established—Chief Justice Richardson—Spread of Arminianism—Theological Literature censured—Drs. Laud and Neale—Cromwell's first appearance in Parliament—Lord Treasurer Weston attacked—Speaker refuses to put the question—Retained in the chair by Mr. Holles and others—Declaration of the House—Parliament dissolved . . 150

CHAPTER VI.

Clarendon's opinion of the Government—Sir John Eliot and others arrested—Examined before the Privy Council—And at the Tower—Prosecuted in the Star Chamber—Selden's defence—Attorney General's reply—Favourable opinion of the Judges—The King removes the prisoners—Infatuated conduct of the Court—Solitary confinement of the prisoners—Indicted in the Court of King's Bench—Sir Allan Apsley—Prisoners decline finding sureties—Fines imposed—Treatment voted illegal—Cruelty to Sir John Eliot—His death—Prosecution

PAGE

of Sir Robert Cotton and others—His library sealed—His death—The proposal of a Parliament forbidden—Peace with France and Spain—Instructions to the Subsidy Commissioners—Knighthood-money—Revival of Forest Laws—Appendage of land to cottages—Tonnage and Poundage doubled—Fines on monopolies—The Soap Monopoly—Ship Money—The first Writ—John Hampden—Argument of his case—Judges' opinion—Michael Wentworth to Lord Fairfax—Lord Savile's Case—Bladen to Lord Fairfax—Dr. Duppa—Fairfax Coat of Arms—Mr. Bellasis released—Bushen's Case—Sir Giles Allington's Case—Lord Audley's execution—Dr. Neale translated to York—Death of Lady Wentworth—Ferdinando Fairfax to Lord Fairfax—Sir Thomas Herbert to Lord Fairfax—French News—Fauconberg to Lord Fairfax—Birth of Princess Mary—Vavasour to Lord Fairfax—Clifford to the same—Earl of Newcastle's promotion—Lawson to Lord Fairfax—Ferdinando Fairfax to the same—Wentworth's reproval of him—Morris to Lord Fairfax—Wentworth's Irish government—Bladen to Lord Fairfax—Dr. Bramhall—Christopher Herbert to Lord Fairfax—Hutton to Ferdinando Fairfax—Marriage of Lord Weston's daughter—Lord Savile's character—Ferdinando Fairfax to Lord Fairfax—Sir John Melton—Charles Fairfax to Lord Fairfax—Affairs of the Palatinate of the Low Countries—Biography of C. Fairfax—T. Herbert to Lord Fairfax—German News—Sir John Gibson to Lord Fairfax—Mr. Goring's promotion—The celebrated Countess of Pembroke to Lord Fairfax—T. Herbert to Lord Fairfax—French Affairs—Outrage on the Pope's Nuncio—W. Sheffield to Lord Fairfax—Promotion of Mr. Littleton—Removal of Chief Justice Heath 188

CHAPTER VII.

The King procrastinates his visit to Scotland—Sends for Scotch Regalia—Compliance refused—Ominous Message—Resolves to proceed thither—Noblemen attending to be at their own charge—Preluding Proclamation—List of "Gests"—Nobles attending—Laud joins the King—Hospitality on the road—Letters of Sir J. Melton, Sir Arthur Ingram, Lord H. Clifford, Viscount Fauconberg—Various preparations—Ruinous magnificence at Welbeck—Earl of Newcastle to Lord Wentworth—King enters Scotland—Pageants at Edinburgh—Coronation—Laud's interference—Lord Fairfax summoned to Scotch Parliament—Form of appointing proxy—Parliament assembles—Lords of the Articles—Acts passed—Act for regulating Kirk-men's apparel—Charles's conduct in the House—Earl of Rothes disputes the vote—Petition prepared—Lord Balmerino tried for leasing-making—Conduct of Jury—Balmerino pardoned—King leaves Scotland—Letter of W. Sheffield—Legal official changes—News from Germany—Sir

PAGE

Robert Heath—Sir John Finch—Sir John Banks—Sir E. Littleton—Sir E. Herbert—Sir F. Fairfax proposed in marriage—Sir H. Vere—Letters of Sir W. Constable—Negociations with Lady Vere—Letter of Sir F. Fairfax—Lord Houghton—Letters of Sir W. Constable, Lord Fairfax, Sir F. Fairfax—The marriage celebrated—Letter of Sir F. Fairfax—Death of a favourite Servant—Letters of Lady Vere—His son's illness—Letter of Sir F. Fairfax—Illness abating—Lady Vere—Lady Fairfax, her daughter—Letter of Lady Vere—Increasing illness of Sir Thomas Fairfax—The Prince of Wales—Sir Thomas Fairfax's extravagance 270

CHAPTER VIII.

Charles Fairfax—Letter to his grandfather—News from Germany—Lady Vere to Sir F. Fairfax—F. Lewenstein to Lord Fairfax—Prince Rupert's release—Dowager Queen of Bohemia—Charles knew the repugnance to Episcopacy—The People rejected the Perth Articles—Temporising the best Policy—Laud for prompt measures—Rejoiced in ambiguity—High Commission Courts established—Liturgy proclaimed—Baillie's Letter—Juxon's wit relative to the Canons—Liturgy published—Bishops not unanimous in its favour—Laud's reproof of them—Church Riots at Edinburgh—Liturgy withdrawn for a time—Renewed opposition when again employed—Village festivals condemned—Book of Sports—Rev. Mr. More's letter—Puritanical Books prohibited—Ambiguity of the Proclamation—Romish tendencies—Anecdote of Lady Anne Cavendish—Thomas Fairfax to his grandfather—The Bishop of Lincoln's troubles—Dr. Duppa—Prynne, Bastwick, and Burton—Despotism exercised—Pym, Hampden, Cromwell, and others prevented emigrating—King resolves on War with Scotland—The Covenant signed—The Covenanters prepare for their defence. 317

CHAPTER IX.

The King determines to declare War—Sir T. Widdrington's Speech—Poetical Address—Ferdinando Fairfax appointed to a Colonelcy—The Courtiers attending the King mislead him—Letter of Ferdinando Fairfax—The King's Arrival—Regalia removed—The King deceived—Yorkshire Address to him—Deficiency of Money—Letter of Thomas Fairfax—Strength of the King's Army—Scarcity of Provisions—Letter of Lord Fairfax—Commanders of the Army—Letter of Ferdinando Fairfax—The King's Military Movements—Earl of Northumberland desires his friends to join—Mr. Procter's Letter of Excuse—Letter of Ferdinando Fairfax—Explains the Earl's meaning—General Order of the Earl of Arundel and Surrey—Letter of Ferdinando

PAGE

Fairfax—Other Commissions sent—Letter of Sir E. Osborne—Payment of Five Hundred Pounds — Letter of Ferdinando Fairfax—March to Carlisle—Letter of Sir T. Widdrington—The King at Berwick—Sir S. Harcourt arrives—Scotch Army not concentrated—Letter of Ferdinando Fairfax—Lord Clifford—Irish Forces—Rumour of a Pacification—Nobles adverse to the War—Protestation of Loyalty—Lords Say and Brook refuse to sign it—Expense of War fell upon the Nobility—Letter of Sir E. Osborne—Letter of Sir F. Fairfax—Bad Weather—Military Privations—Meeting of the English and Scotch Troops at Kelso—Disgraceful Retreat of Lord Holland —Sir John Suckling—Marquis Hamilton sent for—Unexpected advance of the Scotch—Baillie's description of the Army—Negociations opened—The King attends personally—Signs a Declaration of Peace—Letter of Thomas Fairfax—Fear of renewed Hostilities. . . . 345

CHAPTER X.

Renewal of hostilities—Charles breaks his promise of attending the Scotch Parliament—Summons the leaders of the Covenanters to Berwick—Strafford's duplicity—Scotch Assembly—King's declaration denied to be genuine—Scotch Commissioners visit London—Articles of Pacification—Mutual mistrust—Scotch apply to France for aid—Letter intercepted—Scotch Commissioners imprisoned—Meeting of "The Short Parliament"—Sir J. Culpepper's satire on monopolies—Strafford arrives in London—Rumours as to the cause of his coming — Character of the Parliament — Lord Keeper's opening address — Grievances examined — Parliament lectured — Subsidies asked for—*Bellum Episcopale*—Hyde's motion for a supply—Sir H. Vane's indiscretion—Dissolution threatened—Hyde's interview with Laud—Strafford advises a dissolution—Parliament dissolved—Charles wishes its recall—Supplies again raised illegally—Dr Juxon's letter—Subsidies levied (?) — Letter of Charles Fairfax — Members of Parliament imprisoned 388

ILLUSTRATIONS.

PORTRAIT OF SIR THOMAS FAIRFAX . . . . . *to face the Title*

PORTRAIT OF JOHN PYM . . . . . page 127

HISTORICAL AND BIOGRAPHICAL MEMOIR

OF

THE FAIRFAX FAMILY.

THE family of the Fairfaxes were seated at Towcester, in Northumberland, at or before the Conquest, and derived their blood from a Saxon stock. The name is of Saxon origin—Fairfax meaning *fair-hair*. In some of the family deeds the name is spelt Fairvex.

Among the MSS. relating to the history of the house, which have been accumulated from generation to generation, and preserved with extraordinary care by successive members of the family, there is a memorandum in the hand-writing of the first Lord Fairfax, in which the line is traced back to the Conquest.*

* In a very curious MS. volume, written on vellum, called "Analecta Fairfaxiana," compiled by Mr. Charles Fairfax, uncle of the famous Parliamentary General, and containing an infinite variety of heraldic antiquities, epitaphs, and minute biographical particulars, two exact pedigrees of the family have been preserved—the one in Latin and the other in English—from the close of the twelfth century to the middle of the seventeenth. The labour bestowed upon this volume is almost incredible. The Latin pedigree is drawn up with remarkable fullness and accuracy; and every descent is separately proved by references to evidences in the Denton Library. The shields and quarterings of the family are exhibited with no inconsiderable skill in pen-and-ink drawings; and the interest of this volume is enhanced by portraits of the third Lord Fairfax and his

A MEMORANDUM IN THE HANDWRITING OF LORD FAIRFAX OF HIS EARLY ANCESTORS FROM THE CONQUEST.

MEMORANDUM.—That at the Conquest of England a certain nobleman, called (Nigellus) Fossard, was possessed of Montefarrant Castle, near Birdshol in the wapentake of Bruews, and divers towns adjoining, and of the Barony of Mulgrave, near Whitby, with appurtenances; and of the lordship and soke of Doncaster, with Wheatley, Sandal, Cauley, Rosington, and other towns thereabout. His heir-general was married to Robart de Tunnham, a man highly respected and trusted by King Richard the First, in his wars in the Holy Land, whose daughter and sole heir, Isabel, was, by King John, given in marriage to Peter de Male-lacu, his Esquire, who, in her right, enjoyed all the aforesaid lands. The co-heirs of Male-lacu (commonly called Mauley) was married

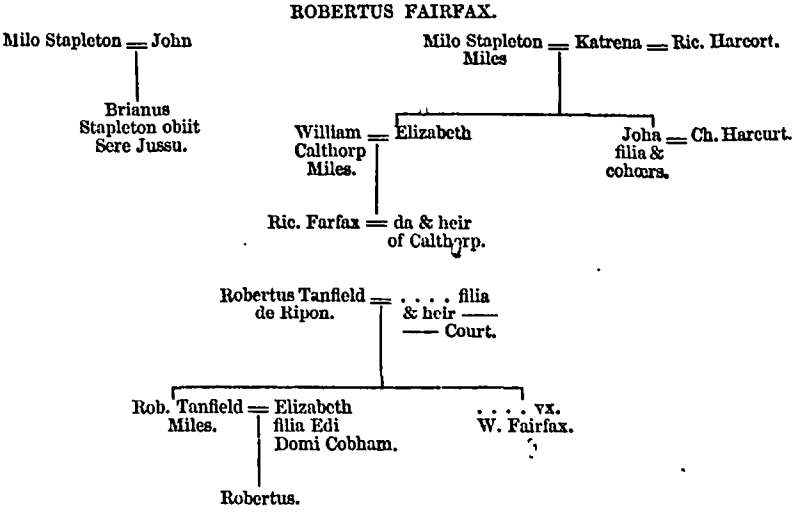
lady, by Gerard Zoust; medals of Ferdinando, Lord Fairfax, and his son, the Parliamentary General; seals, &c.

According to the "Analecta," various branches of the Fairfax family were established in different counties—Lincolnshire, Cumberland, Warwickshire, Norfolk, Northampton, and Northumberland—slight lines of pedigrees and relationships being established for each by the indefatigable zeal of Mr. Charles Fairfax. Amongst the memorabilia are preserved the following singular verses, in Latin and English, referring to the Fairfaxes of Warwickshire. They bear the date of 18th October, 1647, and appear to have been composed on the happy occasion of the birth of a grandchild. It seems that this cluster of Fairfaxes lived at Bradford, and that the three generations, with their wives and children, lived under the same roof. We prefer the English version for the sake of its remarkable quaintness :—

"Fairfax the fourth is born, a gallant boy,
Father's, grandfather's, great-grandfather's great joy;
Under one roof these dwelt with their three wives,
And at one table eat what Heaven gives;
Our times a sweeter harmony have not known,
They are six persons, yet their hearts but one;
And of these six is none hath hitherto
Known marriage twice, so none designs to do;
Mate is to mate what dearest dove to dove,
Even grandsire's wrinkles are top full of love.
In these three pairs Bradford may justly glory;
What other place can parallel this story?"

These delectable lines were written by the Rector of Bradford.

to Saluin and Fairfax; but Bigot married Fairfax his widow, to whom she gave all her lands.


ROBERTUS FAIRFAX.
Milo Stapleton = John
Brianus Stapleton obiit Sere Jussu.
Milo Stapleton Miles = Katrena = Ric. Harcort.
William Calthorp Miles. = Elizabeth
Joha filia & cohœrs. = Ch. Harcurt.
Ric. Farfax = da & heir of Calthorp.
Robertus Tanfield de Ripon. = ... filia & heir —— —— Court.
Rob. Tanfield Miles. = Elizabeth filia Edi Domi Cobham.
. . . . vx. W. Fairfax.
Robertus.

Nicolas Fairfax temp 7 R. 1.

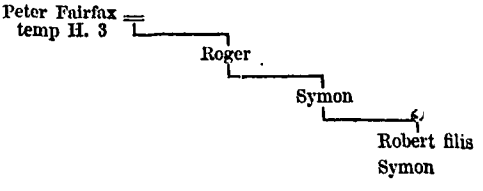
. . . . Fairfax p de xd de firma Camby.

Ebor Ju Th lib et Quietus est 11 Jo.

Thomas Fairfax de Ebor p 35 H. 3

William Fairfax det pipe 8 Jo. p Ram pd Rob. de Medleham

Agnes Fairfax & Bego filé ejus 45 H 3.



Rog. Dself Cooke

Signed E. E. fol. 4 28. *

The Fairfaxes removed at an early period into Lincolnshire to avoid the incursions of the Scotch, and afterwards into Yorkshire, where they finally settled towards the

* Fairfax MSS. To save repeated references to this collection, we may here state that all the correspondence, &c., extracted in the memoir are derived from that source, except where it is otherwise specially stated.

end of the twelfth or the beginning of the thirteenth century. The first of the family whose name we find recorded is Richard Fairfax, who, in 1204-5, possessed the manor of Askham, and other lands in the neighbourhood of York. His grandson, William Fairfax, was high bailiff of York in 1249, and purchased the manor of Walton, from which the family afterwards drew a title. Thomas, the descendant of this William Fairfax, was created Baron Fairfax of Emely, in the county of Tipperary, in Ireland, in 1629. By intermarriages of the junior branches with families of consideration, new properties were acquired, and new lines established, by which the influence of the house of Fairfax was augmented from generation to generation. Sir Guy Fairfax was one of the judges of the Court of King's Bench in 1478, and building a castle at the manor of Steeton, established the principal family residence at that place.

Sir William Fairfax of Steeton, the heir of Sir Guy, became a judge of the Common Pleas; and his heir, Sir William, was high sheriff of York in the reign of Henry VIII., and by marriage obtained the manor of Denton in Yorkshire. Sir William disinherited his second son, Sir Thomas (the eldest dying without issue), because he assisted at the sacking of Rome in the beginning of the Reformation; and a younger brother, Gabriel, became consequently the possessor of the whole of the property over which his father had any right of control. The will by which Sir William made this disposition of his estates is a remarkable document, not merely on account of the minute instructions he gives for the arrangement of his funeral, but because he never mentions the name of the offending son whom he disinherited by this instrument.

WILL OF WILLIAM FAIRFAX.

In the name of God, Amen.—This is the last will and testament of me, William Fairfax, of Steeton, in the parish of Bolton Percy, near York, Knight; now whole of memory, thanks be to God, made this third of March, in the Year of Our Lord God, One Thousand Five Hundred and Fifty-seven, in the fourth and fifth year of the reign of King Philip and Queen Mary, at Steeton aforesaid. First, I will and bequeath my soul to Our Lord Jesus Christ and Our Lady St. Mary, His blessed mother; and my body to be buried in St. Nicholas his choir, in Bolton Church, or elsewhere it shall please God I do depart. And my executors to see me brought forth to the honour of God and worship of my consanguinity with fourteen black gowns to fourteen poor men of Bolton, Appleton, Coulton, and Bilborough, and fourteen torches, with thirteen shillings for their pains, and to every grass house in Bolton, Appleton, Bilborough, Coulton, and Tadcaster, I bequeath sixpence; and dole at my burial to the needy poor liberally at the pains and discretion of my executors. I will and bequeath to Ursula and Bridgett, my two daughters, two hundred pounds a piece, to either of them, over and besides the leases that I have already made to them of Appleton, Ferriby, and Sandwith; also to either of them one standing cup with cover gilt. Also, I will and bequeath to Elizabeth Rockley, daughter of Mary Rockley, two and twenty marks to her marriage. These sums to be paid and levied off my goods by my son Rockley; also, I will and bequeath so many of my lands, tenements, possessions, rents, reversions, and hereditaments, as by the laws and statutes of this realm I may be permitted to will, grant, and give, by will and testament, lying and being within the realm of England (except Bilborough, Rigton, and lands in Acaster), to my son Gabriel Fairfax, and to the heirs males of the body of the said Gabriel for ever, and for default of such issue then to Henry Fairfax and the heirs males of his body, lawfully

begotten for ever, except always that all covenants heretofore made and conveyed by deed, fine, and otherwise, be not hurt or damaged by reason of this my will and gift, as Steeton, Moremoncton, and Bolton with Woolston, heretofore granted to my said sons Gabriel Fairfax and Henry for certain years, with remainder in reversion to Gabriel, not to prejudice the letter patents, or gifts of two chantries, the one at Bolton Percy, the other at Denton, of five pounds either of them, both them to stand and be in force. And for all my implements and goods moveable and unmoveable, plate, money, and cattle, I will and bequeath the order and disposition thereof to my son-in-law Rockley, Gabriel Fairfax, and Henry Fairfax, my sons, whom I ordain and make my executors of this my last will and testament, and they to pay the foresaid three daughters, and get marriages accordingly. In witness whereof hereunto I, the said William Fairfax, have set my hand and seal to this my last will.

Record, the parish clerk of Bolton Percy, Edmund Gudsone, writer hereof, and Richard Calvert, curate of Bolton Percy, with divers others.

By me, WILLIAM FAIRFAX.

"Est legum servanda; suprema voluntas
Quod mandat fierique jubet, parere necesse est."

"The will of dead men is a sacred band;
To see it kept, obliging every hand." *

Or thus:

"The laws should be observ'd; but dead men's will
Must needs be kept, command they good *or ill*."

Note—that it was in disinheritance of my grandfather, Sir Thomas Fairfax, of an estate better than two thousand pounds per annum, by this will (and other deeds) settled upon younger children. Contrary to his former will, made 2 Ed. 6.

Et quære si in hac ultimâ voluntate habuit animam disponendi.*

* Note by Mr. Charles Fairfax.

Sir Thomas, although he was thus deprived of numerous manors, including the family estate of Steeton, was not left wholly without provision. He inherited Denton in right of his mother;* and from this source sprang that line of the Fairfaxes whose correspondence occupy these volumes, and who raised the historical reputation of the name to a greater height than it had ever reached before.

Sir Thomas Fairfax, of Denton, was knighted by Queen Elizabeth in 1576, and died in 1599. He had issue, Thomas, who succeeded him; Henry and Ferdinando, who died young; and two daughters. Colonel Charles Fairfax, who was governor of Ostend, and was slain at the siege, by a wound on the face from a piece of the skull of a marshall of France, who was killed close to him by a cannon ball; and Edward Fairfax, the translator of Tasso, who may be justly regarded as the first English poet who imparted metrical smoothness to his lines, were also sons of Sir Thomas Fairfax.†

Sir Thomas Fairfax, who succeeded to the estate of

* Chalmers was ignorant of this fact, and was consequently led into an erroneous assumption concerning the inheritance of Denton.

† Theophilus Cibber in his "Lives of the Poets," says, that Edward Fairfax was a natural son of Sir Thomas. Sir Robert Douglas, in his Scotch Peerage, generally remarkable for its accuracy, includes Edward amongst the legitimate children. Chalmers adopts this statement, which has subsequently been admitted without dispute. But the matter cannot be decided upon the unsupported authority of Sir Robert Douglas. In the Analecta Fairfaxiana, drawn up by Mr. Charles Fairfax, grandson of Sir Thomas, who must have known the exact relationship of every member of the family, the issue of Sir Thomas is given in detail, as we have stated it above; after which follows, enclosed in a parenthesis, the names of Charles and Edward, thus:—(*Sir Charles Fairfax, and Edw. Fairfax, of Newhall, Esq.*) The inference apparently intended to be drawn from this form of exclusion is, that they were both natural children.

Denton, distinguished himself as a diplomatist early in life under the reign of Elizabeth, having been sent five times into Scotland to conduct negociations with King James, who was so pleased with his conduct that he offered him a title, which he refused.* He was afterwards knighted before Rouen, in Normandy, by the Earl of Essex, the Captain-General of the Queen's forces; a distinction which he won by the courage he displayed in the army which was sent to the assistance of Henry IV. of France. He married Ellen, daughter of Robert Ask, Esq., by Elizabeth, daughter of Sir John Dawney, whose mother was daughter of the Lord Latimer, and who was descended on her father's side from the Lord Clifford.

The earliest notice we find of him amongst the papers of the family is contained in a short correspondence with the Lord Sheffield, Lord President of the North. Sir Thomas Fairfax had been at this time about three years in possession of Denton, a position in the county which brought him into immediate intercourse with the Lord President. Some difference arose between them, but the actual grounds of it are not very clear. Lord Sheffield seems to have taken offence at an injurious report which was spread, to the effect that Sir Thomas had publicly exhibited a fabricated letter, purporting to come from Lord Sheffield, in which his lordship was made to acknowledge that he had done Sir Thomas a wrong, by taking part with a certain kinsman of his against him. The reply of Sir Thomas Fairfax shows that the report was entirely without foundation.

* Analecta Fairfaxiana.

LORD SHEFFIELD TO SIR THOMAS FAIRFAX.

[*2nd of September*, 1602.]

SIR THOMAS FAIRFAX,

I HAVE forborne thus long to write to you touching a matter, wherein, if it be true, you have wronged me, because it is not my custom to try any man of quality without instant cause. But now that I understand the nature of the wrong, I would have you think I am no man to bear such an injury as this seems to be without due satisfaction. Therefore to be brief, I find, upon due examination, that a letter (falsely supposed mine) unto you hath been shown to many, wherein I should make declaration how much I had wronged you, in taking Mr. Fairfax's part against you, and that I was therefore sorry, and would afterwards send him home his son again, and deal no more with him, in regard I found his title so weak. Now, this letter having been shown by your own followers, breeds a pregnant suspicion that they durst not take upon them to have divulged such a matter, being of this moment, without your privity. Therefore, herein I look to be satisfied from you, for I have too long preserved my reputation, both in my *trueness* to my friends, and my light regard of my enemies, now to swallow an injury of this nature. Therefore, to conclude, I expect your present answer, and rest so far your friend as by your answer I shall be, and rest,

E. SHEFFIELD.

SIR THOMAS FAIRFAX TO LORD SHEFFIELD.

RIGHT HONOURABLE,

I DID hear of such a report as your lordship writes of, that should have been delivered to your lordship; yet I had no assurance of it, but because I thought it probable, for that I had received many wrongs of like nature from the place from whence that sprung. I did go to your lordship's son, and protested against every part of the report upon my

credit, and desired him to signify the same to your lordship. I did in like sort speak to one Hallyley, who had said something to the effect which your lordship writes of, urging him to the proof of it, but he denied to name any reporter. I hoped that this, together with the unlucky hand of it, would have satisfied your lordship. I did speak of it to Mr. Cr. Swift, who, as I conceived him, said your lordship was satisfied, and that my kinsman, William Fairfax, understanding that the report was untrue, had signified so to your lordship; but if all this suffice not, here I set it down under my hand that there was never such a writing nor word to that effect spoken or showed by me or any of mine. And let the least part of this be proved, and I will take the shame of the whole. Yet shall I entreat your lordship that it may not rest thus; but that as I am desirous to give your lordship satisfaction, so that for my satisfaction your lordship will be pleased to appoint the cause to be examined; and since a mighty shame is due to the doer or suggester, let him bear it to whom it is proper. And in the meantime think that I have honoured you; I do honour you, and will satisfy you, as an honest man should do a most noble lord. And thus I wish you much honour, and humbly thank you for calling it in question.

Your lordship to command,

THOMAS FAIRFAX.

From Huton, this 3d of September.

The little touch of diplomacy towards the close, reveals a strong element in the character of the writer, who was not deficient in worldly sagacity, and an ambition which aimed at patronage and honours.

After this time Lord Sheffield and Sir Thomas were drawn together into relations of the closest amity. Sir Thomas was appointed Vice-President of Her Majesty's Council in the North, and intermarriages between their families rendered their connection still more intimate.

The division of the Fairfax property by the will of Sir William Fairfax, and the establishment of two lines of Fairfaxes at Steeton and Denton, had led to suits and disagreements in the family, by which the estates at both sides were seriously impaired. All these feuds were happily healed and reconciled under the roof of Lord Sheffield, by the double marriage of Sir Philip Fairfax, of Steeton, the grandson of Gabriel, and Ferdinando, the eldest son of Sir Thomas Fairfax, of Denton, with his lordship's two daughters, the ladies Frances and Mary. These marriages terminated the dissensions in the Fairfax family, and established a firm friendship between Sir Thomas Fairfax and Lord Sheffield.

The union of Sir Philip Fairfax and Lady Frances became, unfortunately, a source of great uneasiness to both families. Sir Philip abandoned himself to a career of profligacy and reckless expenditure, and had scarcely come into the possession of his property when he attempted, in various ways, to raise money at enormous losses to support his excesses. Even before he became of age he laid the foundation of his ruin. Lord Sheffield in vain endeavoured to restrain the vices of his son-in-law, who did not hesitate to carry his delinquencies so far as to mortgage and lease the same lands to different persons, so that it became dangerous to risk a purchase at his hands. The following letter from Lord Sheffield to Sir Thomas Fairfax refers to a portion of the spendthrift's property, for which Sir Thomas had been negociating :—

TO MY VERY LOVING FRIEND SIR THOMAS FAIRFAX, OF DENTON, KNIGHT,

ONE OF HIS MAJESTY'S COUNCIL IN THE NORTH.

Good Sir Thomas Fairfax,

Touching the first part of your letter now received, I cannot but still add to my grief for the evil course of my son. I am resolved to lend my best endeavours to overthrow the bargain made with Carrayle, which I defer until my going up. But for the rest, which is now under sale (as you write), I rather wish it to you then to any other (being the seat of your ancestors). And I shall grieve to hear that any man enjoyeth a good bargain of that, but yourself; yet you must excuse my not assenting to this motion, for I purpose to oppose the sale of any more of his land, until I can be satisfied of the alteration of his courses which, hitherto, have tended only to the ruin of his whole estate. But the law is uncertain, therefore between you and me, this shall be resolved if counsel advise you that he can make a good estate (and you thereupon think good to deal with him), you shall not take it unkindly that I seek to maintain that interest, which myself and others suppose we have for those of his posterity; neither will I, in any measure, think unkindly at you, for prosecuting any course, lawfully to make good the title to yourself (if you buy the land), for if by law he hath power to sell, I know he will not keep any; and my respect and love to yourself is such, that I should be sorry you should lose the opportunity of a good bargain which shall be wo . . . . wished by

Your assured friend,

Sheffield.

P.S. I perceive you have carefully prevented the danger of great mischief at your late meeting, for which I thank you, desiring you will persist by all good means to settle that business in peace; I shall not need to add to the authority

you have already, but earnestly require that you will have special regard to keep the quarrel from further growth.

Normanby, 6th March, 1611.

Notwithstanding all Sir Thomas's prudence and foresight, it is by no means clear that he was not imposed upon after all. Sir Philip intrusted all his affairs to a knavish follower, who by administering to his extravagant tastes and riotous pleasures, worked himself so completely into his confidence, that he prevailed upon him to make over leases to him by which he held a complete right over certain portions of his property. This fellow, whose name was Batrus, secretly obtained a lease in this manner on the very day Sir Philip came of age, protesting to Lord Sheffield that he was not of age till the following day; and after giving the most solemn assurances to Sir Thomas Fairfax that there was no claim or mortgage upon the manor of Bolton Percy, which Sir Thomas was about to purchase, came forward, after the purchase was completed, with several leases of that and other properties which he had previously procured from his master. The whole transaction is disclosed in a paper of instructions written by Sir Thomas Fairfax for the information of his legal adviser.

INSTRUCTIONS FROM THOMAS, LORD FAIRFAX, TO MR. DALTON, RESPECTING THE ESTATES OF SIR PHILIP FAIRFAX.

Ralph Batrus, some time servant to Sir P. Fairfax, the chief instrument of his master's unthriftiness, and the enticer of him unto vices and lewdness in the house of him

the said Batrus, on the first day that his said master came to twenty-one years, secretly procured a lease of lands and tenements lying both within Boulton and Appelton unto his own use, persuading the Right Honourable the Lord Sheffield, who was careful to prevent the profuse wastefulness which he feared in Philip Fairfax, his son-in-law, that he was not at years until the day following, so he procured that lease before the estate which Sir Philip Fairfax did make unto fiefs for the establishing of his lands.

Some years after which time, Sir Philip being driven by necessities, did, by the consent of the said feoffees, sell unto Sir Thomas Fairfax, for valuable consideration, since which time Sir Philip being driven by necessities to make sale of the manor of Boulton Percy, did divers times make offer of the same unto Sir Thomas Fairfax, and often unto divers others, and also procured divers of the feoffees so to do. But the said Sir Thomas being afraid that some incumbrances might lie thereupon whereof he was not aware, did refuse to bargain for the same until such times as the said Sir Philip did bring the said Batrus unto him the said Sir Thomas: who did affirm that there was not anything done by his master but he the said Batrus was privy thereunto, protesting that there were no leases let by his said master but that one to himself, which was before the estate made unto the feoffees, and one or two trifles to other tenants, protesting, with many oaths, that he would take one hundred pounds to discharge and redeem them all to Sir Thomas Fairfax's use.

Whereupon the said Sir Thomas was persuaded to bargain with his said master, and all the feoffees, and gave unto him a very great consideration both in present monies and in land. Since which time the said Batrus hath set on foot divers and sundry leases granted by the said Sir Philip unto him, whereof these in the tenure of Boulton and Doughtie be two, vaunting that he hath many others yet of like nature, all which were made by Sir Philip to commence after expiration of leases in being. Being at the first but tenant in tail,

and after the estate made unto the feoffees they stand seised thereof unto the use of Dame Frances, his wife, and other uses.

The purchase from Sir Philip and Dame Frances his wife was to Lawrence Maudesley, Robert Jackson, and George Brathwaite, and that from the feoffees was to myself.

I shall desire you, Mr. Dalton, to be careful in the drawing of this bill. I cannot send you so perfect instructions as I would, because I want those writings which should instruct me.

Your assured friend,

T. FAIRFAX.

I was persuaded by my counsel there, that the estate from the feoffees would prevent all the secret acts of Sir Philip, because he did stand in no estate of Boulton after the act unto them.

Sir Philip Fairfax did not live long to pay the penalty of his transgressions. He died in his twenty-eighth year; Lady Frances survived him only two years, and they were both buried at Bolton.*

The time of Sir Thomas was fully occupied with family matters and the management of his estate. He appears to have fulfilled with tenderness and integrity all the domestic responsibilities that devolved upon him. A letter to his brother Henry, one of the brothers who died young, furnishes an evidence of the kindliness of his feelings; nor is it wanting in interest as throwing some light on the superstitions of an age when persons were to be found amongst the educated classes who attributed storms at sea to the personal intervention of the devil.

* The issue of this marriage was:—1. Edmond; 2. William, who succeeded to the title; and 3. Ursula, to whom further reference will be made hereafter.

TO HIS ASSURED LOVING BROTHER, MR. HENRY FAIRFAX, FELLOW OF TRINITY COLLEGE, IN CAMBRIDGE.

KIND BROTHER,

MY service promised, &c.; yours of the 22nd July, I received, wherein you advised of your intended journey for Yorkshire, which makes me doubtful of writing for fear of your performance thereof. No good news occurreth worth writing of, but only a remembrance of my love and service, which to my power is always at your command. My Lady Elizabeth is to be married upon Shrove Tuesday next; three feasting days to be kept, namely, Tuesday, Wednesday, and Thursday, and two masques, which already is set down to be at her marriage. As for ill news, too many there is. I know it is not unknown to you, by the report of many, of my master his mishap, through ingaging himself too far for a treacherous villain, namely Staps, who within this three months was thought to be a man worth 20,000*l.*, and hath had no losses since, but fell of a sudden to the overthrow of divers men. His father was thought to leave him clear worth 19,000*l.*, and 6000*l.* he hath had by his wives which is 25,000*l.*; his father died but four years ago, and how should this man spend all that and 25,600*l.* more besides, it is a wonder to think of it, he having no losses at all upon the seas; but of that no more. His debt is forty thousand pounds, and more, whereof he hath to pay 15,000*l.*, rest for other men to pay 25,600*l.*; by which means my master, Mr. Townsend, Mr. Morgan, Mr. Fox, Mr. Leate, are all undone: my master is the most in, for he is the worst of them, the rest with much ado may hold, but he is past recovery. I pray come to my brother Charles, and tell him that I am so full of business by reason above stated, that I could not write unto him; his of the 16th September, wherein he and Henry Maurice promised to write oftener then they do. I would not promise them because I am not my own man to write when I will as they may. Many of our merchants ships be cast away

upon the seas this storm, and there is great talk that the devil should be seen upon the sea, and this morning I heard it credibly spoken that the devil was upon the Thames in a sculler, and when he was in the midst of the water he vanished away so that none could tell what way; this I heard spoken, you have it as I had it; believe it if you will; now in these our troubles it were a great comfort for me to hear from you or any of my friends, which at this my intreaty I pray vouchsafe to let me hear from you so often as conveniently you can; it is with much ado that I write unto you, for I am very busy about writings, and it is but an hour's warning that I have to write.

Yours whether you will or no,
and to command to his power,
THOMAS FAIRFAX.

Laus Deo, In London, 11th January, 1612-13.

Sir Thomas lived chiefly at Denton. His manor engrossed much of his attention; nor did he escape the vexations to which the looseness of the time exposed estated gentlemen who desired to preserve their rights strictly. A curious illustration of the rude troubles of this kind in which he found himself embroiled, is supplied by a letter from Tobias, Archbishop of York, concerning some alleged misconduct of the Archbishop's servants in trespassing on Sir Thomas's grounds.

TO THE RIGHT WORSHIPFUL SIR THOMAS FAIRFAX, OF DENTON, KNIGHT.

SIR,

WHEREAS by your letter this day to me directed, you said you are sorry that your great respect of me hath begotten in me so great a contempt of you, that you appealing to me for the wrongs done you in my own house, by my

own servant, myself would not vouchsafe the hearing, much less the reformation of so great an injury; and that this, my suffering, hath given encouragement to other my servants and followers riotously to hunt your grounds, under pretence of a warrant from me, affirming that they will do the like again; and some others of my servants not contented with the killing of deer there, do threaten your servants to beat and wound them. You thought to acquaint me herewith to see if I be more feeling of the second than of the first, and desirous to know my mind therein. My answer to your said letter is, first, that you never had greater respect of me than I have had regard of you, all due circumstance considered; secondly, that the supposed wrongs done you here, if any such were, proceeded not from any servant, but an officer of mine, who alleged himself to be much provoked by you; which, to examine, I had then no leisure, being otherwise employed, and feared withal least multiplying of words between you might rather incense than qualify choler; thirdly, if any of my servants or followers have riotously hunted your grounds, as you allege, I pray you be persuaded they had no warrant from me, nor any of mine that I can learn, to hunt at all in any your grounds, much less to threaten any of your servants, which faults, if they have committed, either within doors or a-field, the laws of God and man are open to give you self-sufficient satisfaction at their hands, but not at mine, who never offended you, as the searcher of hearts best knoweth, to whose heavenly direction I commend you and your proceedings, as well herein as in all other your lawful and laudable actions.

Your ancient loving friend,

TOBIAS EBORCEN.

Bishopthorp, 21*st of May*, 1613.

Sir Thomas had a numerous family, and the difficulty he found in providing adequately for them was increased by the extravagance in which some of them indulged.

His son William, who afterwards served as a major in the Palatinate, appears to have drawn down a strong rebuke from his father, to which the following letter from Colonel Vere, under whom William was serving, immediately refers. The heading of the letter is in the handwriting of the young officer whose excesses had incurred so much displeasure.

A COPY OF MY NOBLE COLONEL'S LETTER TO MY FATHER, TAKEN AT YORK, THE 16TH JANUARY, 1617.

WORTHY SIR,

I GIVE you many humble thanks for yours to me, and have my full satisfaction, I assure you, in your kind acceptance for the poor favour I have done your son, of whom I entreat you that you will be pleased to have better hopes and better opinion than by your last to me and to him; it seems you have conceived he is yet young and of no ill, but a very good condition; somewhat flexible, but more to good than the contrary. Years and time will make him more solid. He is a fair plant, and you need not fear his growth in virtue by God's grace, for he spends his time better than you are either informed, or have, out of your fatherly jealousy of your son's wedding, apprehended. The worst in him hath been (I cannot now say is) his improvidence in his expenses, for which he hath been so bitten by your last letter, and so well remembered of it by me, as I deceive myself much if he take not up from running any more such careers, though to prove an exact manager upon the sudden I will not expect at his hands, but in reasonable time I will, and then I hope he shall not want your fatherly encouragements; in the mean-time I pray you let your next lift him a little up again, whom your last hath much thrown down, &c.

VERE.

January 6th, (16th N.S.)

Other letters to his sons Ferdinando (the eldest) and Henry, who afterwards entered the Church, and became rector of Bolton Percy, hint at a similar disposition to exceed the allowance he was able to afford them at college.

TO MY VERY LOVING SON, HENRY FAIRFAX, IN TRINITY COLLEGE.

HARRIE,

I WOULD to God you would forbear to write to me in this discomfortable style, or promise to yourself my displeasure, which, God is my witness, hath ever been far from my heart; and that, not only you may perceive, but all they which be about me do daily see, in those courses which I daily endeavour, as I think, for your good; for even then, when I received your last letters, I was at York, whither I did go purposely to procure a thing for your present advancement; and I am to disburse for the same 400*l.*, which I will do, for all the exceeding wants that I am this year cast into. And I think this cannot be thought displeasure of mine towards you. Therefore, neither wrong me nor yourself, since I suffer your brethren, with myself, to want for your good.

If you dislike the course you are in, or whatsoever you would, let me know. Take your own course—be satisfied, and I am pleased, so that you forbear to write this melancholy letter unto me, your mother, and brethren. I beseech God bless you and us all with his infinite mercy; and pray for me as I do for you.

Your very loving father,

FAIRFAX.

Toulston, this last of May.

TO MY LOVING SON, HENRY FAIRFAX, ONE OF THE FELLOWS OF TRINITY COLLEGE, IN CAMBRIGDE.*

HENRY,

I LIE this night at Huntingdon, in my way to London, and from hence I have sent you letters, and I did send you letters at Martinmas by Lawrence. I pray God bless you and your studies to the service of his Church which is the happiest profession that can be. All other services be bondage, but this is perfect freedom. If it be honour to serve a King, it is more to serve the King of Kings, and after his rewards there is no wants.

Your mother (I thank God) is well, your brothers and sisters are so. My Lord Archbishop commends him to you, and saith he will not be unmindful of you; this summer you must spend in the country to be known unto him. This is all I have to write, and what you write send to my nephew. Ask his chamber, because I am uncertain of my lodging.

Your loving father,

T. FAIRFAX.

Huntingdon, this 17th January.

TO MY VERY LOVING SON, FERDINANDO FAIRFAX, KNIGHT, AT HIS BROTHER'S CHAMBERS IN LINCOLN'S INN.

[*March or April*, 1621.]

FERNANDO,

I HAVE sent up moneys to be bestowed thus:—to Mr. Boswell, 45*l.* for your brother Peregrine, and to Mr. Thomas Cockell, servant to Mr. Justice Hutton, 20*l.*, to pay the fine for my son Wentworth's estate. I pray you be careful therein, and safely deliver the same, otherwise it will grieve me much; for the moneys which I have formerly sent

* Henry Fairfax, elected Fellow of Trinity College, 17th September, 1608. Installed Prebend of Friday-Thorpe, 1615. Charles Fairfax came to College, October 5th, 1611.

have not been employed to the uses which I intended, as 20*l.* for the charges against Nun Appleton in your hands, and 20*l.* to my son William in Charles's hand. I did write to him to be advertised whether he did return it, which the Scottish gentleman, with the other 30*l.* sent by my Lady of Shrewsbury to my son Joseph, but he is silent. I pray God he make not a semblance of sanctity, the cloak of evil dealing. Let me hear from you both concerning these things.

Remember my great charges in the bestowing of your sister, my small rents, and the evil coming in of the same, and the debts and other occasions which I must use moneys in, for I expect not that this sum, or triple so much, will pay the fine; but let Mr. Cockell disburse this, and give me an account thereof. The acknowledgment of the fine is from Mr. Wentworth and his two sons, and Mr. Haley, Mr. Justice Hutton's clerk, hath it. I have sent you this enclosed note from my brother Wentworth, to give to Mr. Cockell for directions. I understand that Gill hath removed his indictment by certiorari, and intendeth to revert it. See what can be done therein, for that will be very chargeable to me if he should effect it. Munkes is his attorney, and I hear Bladin his solicitor. I pray you speak to Mr. Cockell to be careful in that business also.

I did write to Charles to know whether he had the books between Bensley and me in readiness, but I have no answer; if that matter be *heard* and I impounded, I might therein sustain much loss. You did write a strange letter to my cousin Fairfax concerning your brother Charles's business with Mrs. B., as if men in their own business should do nothing for themselves, but men of your mind will so speed.

It is time for you to take some course for yourself also, for you receive much from me, and are unthankful—filling others with reports of your small exhibition, saying it is but 200*l.* per annum. If it were no more, yet it is twice so much as I had when I kept you and your brother Henry abroad; but I will reckon you more. Ouston 204*l.*, so I did

let it and Haleley for 4*l.* more; the Tithe of Bilborough 38*l.*; set this but to 240*l.* per annum, then to your son Thomas 20*l.*, to your daughter Ellen 20*l.*, your two children at home with me 20*l.*, and yourself and servants 30*l.* This, I think you must confess, to be the least, and yet you write that I give you but 200*l.* per annum. And whether I have been beneficial unto you beside this, as you remember not, I do. Still your courses be extravagant as if you were mindless of your posterity. I pray you then resolve of some settled course to yourself, and take away the opinion of the world, that Clarke hath such interest in you, as either you cannot, or will not, marry. For, sir, I am sorry to write thus unto you; I did once before teach it in a letter, and glance at it often in words; it is a thing concerning me so near as I must speak; for, to my grief, I and all the country do hear of it. Consider what a father you have that is contented to want a nurse for myself, and to undergo the care of house-keeping, that I may be a nurse to your children. These things slighted by you may make me think that charity begins at home, and then desert your children. I pray you, howsoever this have been, let them be better in the future, and I pray God bless you and yours.

Your loving father,

York. T. FAIRFAX.

It was subsequently to the date of these letters that William and John Fairfax went into the Low Countries; and it appears by a letter from William Fairfax to his brother, that Sir Thomas himself joined the army on this occasion, and participated in the hardships of the campaign.

7th August, 1620.

BROTHER,

WHAT was sent me from hence, I know not; but understand that most of my chiefest books were left behind;

yet in whose custody I cannot learn, neither why they staid behind their fellows.

Those that came into your hands I refer to your disposing, only I desire that my ancient manuscripts and Roman coins may be from me presented to the famous Selden, to whom I intreat my best respects may be remembered. It was told me my kinsman and Lieutenant-Colonel, Sir Edward Vere, had sent for my best antiquities, as well books as coins. If he have, there will be nothing left worthy of Mr. Selden's view; howsoever, let him know the fault is none of mine, for not only what I have, but even myself I vow unto his service. Desire him to remember my best respects to those whom he knows I most desired to be made known unto. But that my occasions are extraordinary at this instant, I would have written to him.

I am now upon going with my company from my old garrison, Rotterdam, to Rees, the place appointed for our rendezvous, where the Prince of Orange is to furnish us with a sufficient convoy of horse for our further transport towards the Palatinate. The report of Spinola's intention to prevent our passage has brought my white-headed father into the Low Countries, who, since his coming amongst us, is grown forty years younger than he was before; he resolves to make one, and to that end has provided himself of horse and arms, and all other necessaries. He is received here with very great respect; the memory of his former actions, as well in these parts as in France, being the chiefest cause thereof. If it shall please God that he return no more alive, my request shall be to Mr. Selden to grace him with an epitaph; a better quill than his can never be set on work, and to employ a meaner were but to detract from him that doth deserve so well. So, in extraordinary haste, farewell.

Your ever loving brother,

Rotterdam, August 7th. WIL. FAIRFAX.

Since this time we are come to Wessell, on our journey

towards the Palatinate. My father was never in better disposition—he takes his lodging with me in my straw mansion, in the field before Wessell. We lie within sight, and almost shot of the tower: we expect to come no nearer it, although a bridge is made to pass the Rhine. How long we shall stay here is yet uncertain, as we are to frame our course according to those of our enemies, Spinola being (as far as we yet can understand) on both sides of the river with his troops.

From the Camp, near Wessell,
August 25th, 1620.

William Fairfax, who expressed so anxious a desire that Selden should write his father's epitaph, discharged that pious duty himself, not very long after the date of this letter. A report having been spread of the death of Sir Thomas, William produced the following verses on the occasion. They at least evince the affectionate respect he entertained for the memory of his father, who happily lived to read the inscription intended for his tomb.

ON THE VALIANT AND VIRTUOUS KNIGHT PRUDHOME.

"Is Prudhome dead? Yet Heavens defend
His virtues with his breath should end.
Religion, virtue, wit, and spirit,
This corpse of his did late inherit.
Whilst, therefore, these on earth reside,
It can't be said that Prudhome died.
There's only then enclosed here
The casket where these jewels were."*

It is not much to the discredit of the young soldier that he was a better son than poet.

The army collected by the enemy in the Low Countries

* Analecta Fairfaxiana.

was numerically powerful, and commanded by some of the ablest men in the Spanish service. The whole strength of Spinola's forces is drawn up in a paper entitled—

THE STYLE OF A PAMPHLET OF SPINOLA'S FORCES.

THE invincible army led by his Excellency the Marquis of Spinola, Captain General* for his Imperial Majesty for the Majesty of the most Catholic King, against the rebels of the Empire, to reduce them to obedience. Who set out from Bruxels the 9th of August (new style) towards Frankford, by command of his Imperial Majesty, with such sounds of trumpets, drums, and vollies of shot, as might have made the earth to tremble, to the unspeakable joy of all such as were well affected to the Catholic faith, which was much increased by the alacrity of the soldiers as well as captains, shining in their arms like so many beautiful stars in the heavens, the people and soldiers making the heaven echo with their cries—"Ever live the Magnificent House of Austria!"

VOUT VOLK DE SPINOLA.

SPINOLA'S FOOT.

Regiment de Don Diego Mexia, Espaignol	1300
Regiment de Baron de Belancon, Burgundy	3000
Regiment de Count de Embden, Almayns	3600
Regiment de Monsieur Gulfine, Wallons	3000
Regiment de Sebastian Baur, Almayns	2400
Company de Senhor de Valette, Italian	180
Company de Ferdinando Caracolle, Italian	150
Company de Monsieur Turland, Flamins	150
Company de Monsieur Ja. de Boyners, Wallons	150
Company de Monsieur Francis Bugone, Flamins	160
Company de Filebert de Spanger, Flamins	150
Company de Loyes Verekin, Flamins	150
Regiment de Prince Campolaterra Neapolitan	4000
Regiment de Count Viscount Milonensen	3000
Regiment old Spanyarden Van Millian	3000
Summa vout Volke Van Marquis Spinola	24,390

* His style for the Catholic King hath relation only to his command in the Netherlands.

SPINOLA'S HORSE.

Le Count Vandeberk hern general	300
Le Count Dissinberke	300
Le Count Ja. de Nassau	600
Le Duke de Arscott	500
Don Inigo de Brusquelle	180
Don Ferdinando Inigo Lasso	100
Don Francisco de Giuara	100
Don Phillippo de Silva	100
Don Ja. Baptista d'Storia Italia	100
La Baron Dassy	100
Monsieur Ja. Firll	100
Monsieur Ja. Charles de Obermont	160
Monsieur Charles de Gromont	100
Don Gulielmo d'Storia	100
Monsieur Adrian de Talmorth	100
Monsieur Augustine Delamott	100
Monsieur Baron de Stoberkin	100
Summa Perden	3000

Perdin Van Dutch herin (viz. Voluntaries of the Dutch nobility and gentry) 1300

THE PROTESTANTS' ARMIES IN BOHEMIA.

FOOT.

Julius, Duke Hartock van Wertenbeck, en regiment	2000
Magn. Hartock van Wertenbeck, en regiment	2000
Charles, Martgrave van Baden, en regiment	2000
Landgrave Wilhelm van Hessen, en regiment	2000
Frederic, Earl Grave van Solmes, en regiment	2000
Reynard, Grave van Solmes, en regiment	2000
Waterwish, Grave van Warden, en regiment	2000
Starkenberke, en regiment	2000
Waltmans Hausin, en regiment	2000
General Earl Comes Plickard, en company	300
Captain Bartram, en company	300
Summa vout Volke	18,600
Summa vout Volke van Syne Excellency Maurice van Nassau	14,000
Summa Rutterie Perden van Syne Excellency Maurice de Nassau	3000

HORSE.

Rutterie Perden.

Landgrave Wilhelm van Hessen	300
Grave Wilhelm van Hessen	300
Ryngrave Otho	1000
Grave van Ohenlo	1200
Colonel Goultesteine	1000
Ruttmaster Obertrout	500
Overht de Megan	700
Hartock van Brunswick de Oversten Lieut. Prisk.	400
Hartock van Wittenberke son guarded harquibusheirs	160
Martgrave van Badin son guarde de harquibusheirs	160
Francis Cripps, under Captain Biber	150
Grave Ausberk harquibusheirs	800
Tropen de Saxicken harquibusheirs	800
Maurice van Hessen	2300
Summa Rutterie (horse)	8950

Another letter, addressed to Mr. Charles Fairfax, continues the narrative, and brings us closer to the actual operations of the campaign.

TO MY BELOVED BROTHER, MR. CHARLES FAIRFAX OF LINCOLN'S INN, THIS DELIVER.

Easter Eve, 1621.

We marched through the enemy's country with thirteen colours displayed, and drums beating; the boors flying, we were left to be our own carvers, when we took what served for our present relief, such as bacon, hens, bread, &c., sometimes staying two or three days in one quarter. But in a friend's country, whosoever had taken the worth of a hen, upon complaint being made, should have been severely punished. And thus, from the middle of August to the middle of November was our time taken up, sometimes with marching East, sometimes West, and, I dare say, all the points of the compass, one while to escape the enemy, and sometimes to pursue him, as——our General——and Grave Henry, who

conveyed us from his Excellency's leaguer with almost forty troops of horse and 400 old musqueteers, which being joined with our thirteen companies, made a pretty regiment. After much difficulty we got to the Palatinate, whither Spinola was got before and intrenched, therefore had the advantage of us, being upon the march. Not long after, we were commanded to victual for three days' march, in which time all our army was drawn together, and marching in battalia. Our new English army was divided into four divisions (500 in each). The Earl of Oxford and the Earl of Essex (having double companies) made one division, My Lord General, Sir Charles Rich, and Sir John Wentworth, made another; Lieutenant-Colonel Captain Pointer, Captain Fairfax, and Captain Greatrex, the third; the Serjeant-Major, Sir Garrett Herbert, Sir Stafford Wilmot (now dead), and Captain Buck, the fourth. Our four divisions had the van of all the field (except one division, who were to go on before us). Thus, after we had marched up a hill, we espied two English miles off, on another hill, certain troops of horse, with a great army. At beholding the enemy, (which descended) we gave three or four great shots, when our soldiers, by their casting up their caps, it gave good testimony to their captain of a brave effect of their good encouragement. Thus, marching along the side of a hill on our right, and a valley on the left, and by our windings gaining the advantage of ground, wind, and sun, the enemy discharged four or five cannons, when, mounting our ordnance on a hill, and marching into the valley between the enemy and our ordnance, which might have played on us (being thus pitched in battalia) certain musqueteers out of every company were to give the first volley. Thus standing in expectation, we were exhorted by our reverend and worthy doctor to repentance and resolution, arguing upon the injustice of the cause and the honour we may gain by life or death; but the enemy drawing on, we took up our lodgings, and in the morning (our enemy being marched on) we, turning faces about and making an honourable retreat, every regiment returned to

their own quarters. General Vere, now made general on the whole troop of horse and foot for the king of Bohemia, the forces are thought to be 30,000 at the least, which, is said, shall now shortly be drawn into the field; and for our better enacting for that service, we are exercised by whole divisions every day (except Sundays and sermon-days), to know our motions and postures of our arms. JOHN SNOWDEN.

Before this time Sir Thomas had returned to England, and his son, John Fairfax, apprises him from time to time of the state and prospects of the army. The troops were now lying at Frankenthale.

TO THE RIGHT WORSHIPFUL, HIS VERY GOOD FATHER, SIR THOMAS FAIRFAX, KNIGHT, AT DENTON, THIS DELIVER.

My humble duty remembered.

SIR,

I PERCEIVE, by your letters to my captain, that you have solicited my Lady of Shrewsbury for mine annuity; but whatsoever her promises are, I do not think she either will or is able to perform it, because she was ever behindhand ere she could receive her monthly pay; yet must I ever acknowledge my bounden thanks for her former nobleness, as occasion is offered. For these wars, if I may so call them, no man can judge of the continuance, but every of its poverty, an officer's means being scarce sufficient to find them clothes, much less private soldiers. Moneys are here exceeding scarce. The captains having received six months' pay, were forced to pay their whole companies for three weeks together, besides many weeks more to make up full means, receiving short of the weekly pay, so that in the end they were constrained to borrow, and when they shall be repaid is not yet known. Every English shilling goes here for thirty stivers, and that in Holland is three shillings, like-

wise every dollar is improved to above ten shillings sterling, so it may be when a little higher the officers shall be paid with less sums. The Emperor's general, Buccoy, is slain, with many more of his men, by them of Newhawsen, a town in Hungaria. The Emperor in Prague hath beheaded, hanged, and quartered about twenty-five persons, some of the nobility, others burghers of the same town, for succouring the King of Bohemia. My Lord Digby is above five weeks gone from hence, but as yet we have not heard from him, and some think that he hath not had audience. Here, in this country, are men daily taken up for Count Mansfield, both horse and foot, for the Upper Pfaltz. This truce is almost ended, and, 'tis thought, shall have no more. It is said that from the Maine are landed 3 or 4000 Italians, near Coblentz, and there make a stand, not knowing whether the Netherlands or these parts shall have greater need of them. Yet Spinola hath already 52,000 foot and 9000 horse for the field, besides men in every garrison. Our regiment, of late, is greatly weakened, because for want of means many are run away. Our worthy minister, Dr. Burgis, is this day gone towards England, whom we shall greatly miss; yet could he not have longer staid, because of his promise made before his coming over,—for one whole year to be absent, which is now expired. Sir, if it would please you to relieve my wants with some little money, you may procure it by means of Burlimaqui, who sends every nine or ten days to Frankfort, from whence we have a post weekly. Thus, with humble prayers for your long health and happiness, and craving your blessing, rest

Your ever obedient son,

JOHN FAIRFAX.

Frankenthale, the 17th of July, 1621.

TO THE RIGHT WORTHY MY VERY GOOD FATHER, SIR THOMAS FAIRFAX, KNIGHT, AT DENTON, THESE.

My humble duty remembered.

SIR,

THIS country lies now more open than heretofore, and may be assaulted with less difficulty by the enemy, by reason of a strong castle he is possessed of, lying upon the Rhine, whereto he hath drawn his bridge. The governor of Manheim had it in keeping, and though we dare not say, yet think by treachery it was given up. From Heidelburg, the Duke du Pone is said to remove with the rest of that family to some place of more safety,—the Chancellor's loyalty greatly suspected. Our army lies encamped within three English miles of their new-placed bridge, but neither able either to take the castle or remove the bridge: we were drawn once before it, but I think five times our strength could do no good on it, by reason of their succours from the river, which we by no means could hinder. There it pleased God I should receive so favourable a shot through my arm, and made no entrance into my side, but only bruised a rib, that in three weeks was well recovered, but that it is somewhat stiff and must be recovered by use. The Boors begin to make head, but as yet of no great strength. We have no certain news of the King of Bohemia, but is thought is marching netherward. Thus desiring your blessing, will ever pray for your health and happiness, who is

Your ever devoted son,

JOHN FAIRFAX.

Frankenthale, the 10th Sept., 1621.

While the campaign was going forward, Lord Sheffield writes to Sir Thomas, to tell him that he had heard the worthy carriage of his son highly spoken of at Court, and congratulates him on his fame, which

he prophesies to be but the "beginnings of a greater honour." How little did they anticipate the "greater honour" which at that moment was ripening for both sons amidst the shouts of victory!

TO MY VERY LOVING FRIEND, SIR THOMAS FAIRFAX, OF DENTON, KNIGHT, THESE.

Good Sir Thomas Fairfax,

Being this day at court, I heard the certain good news of the relief given unto Frankendale in the Palatinate, and the good success it hath had against the enemy, where the worthy carriage of your son hath been much observed, and is here reported to his great applause and commendation. It was no little content to me to hear so worthily of him nor could I be silent in his praises, even unto yourself who I know will joy most in his deserved good fame; briefly, I hear his valour and endeavours hath merited the report which generally is spread of him, and I doubt not at all, but that these are but beginnings of a greater honour which shall afterward befall him; and so not knowing better, I will not here trouble you with any other news, but commend me kindly to you, and rest,

Your assured loving friend,

T. Sheffield.

Hammersmith, 2nd November, 1621.

John and William Fairfax conducted themselves through these scenes with such bravery as to win the highest encomiums from their commanding officers. In the defence of Frankenthale they were both killed. The letters announcing this melancholy intelligence to Sir Thomas are noted in the handwriting of Charles Fairfax.

LETTERS CONCERNING MY TWO BROTHERS' (WILLIAM AND JOHN) DEATH IN THE PALATINATE, FROM SIR JOHN BURROUGH TO MY FATHER.

SIR,

I AM heartily sorry my first acquaintance with you by letters must bring with it such news as I am sure, not without just cause, cannot but give you a great deal of sorrow, nor do I desire to be the first from whom this accident should be known unto you. Yet for some respects I have not thought fit to be silent; one by reason of my command, under which it happened, and so, it may be, can give you best account therein. Another, my Lord General pleased to command me to have a care in the ordering of what was since to be disposed on. The discomfort I must make known to you is, that, during the siege of this place, it pleased God to dispose your two sons, I doubt not, to a far better dwelling. Your son, John Fairfax, on Friday night, the 5th of October, being in an outwork, which forty of your son's company and as many of mine did guard, and my ensign-bearer to command them. The work was, within a quarter of an hour after the shutting in of the day, assaulted by the enemy, and after being defended some half an hour, the enemy took it and put to the sword all they found there, except three of mine and five of your son's company, which they took prisoners, and some few others that escaped: myself was then a near eye-witness of this loss, which could not but afflict me; for I had many good friends there, besides some that were near me in blood. When I saw it was gone, and no hope of recovery, I retired from thence, and went to another side of the town, where I heard the enemy was continuing an assault. In the way upon the bridge into the town, I met your son, the Captain who then executed the place of Serjeant-major, and had been giving out of orders. I told him what had happened, and that I would go to the other side of the town to see

what was a doing there. I told him I had left some musqueteers in the next work to that the enemy had taken from us, with a sergeant, and entreated him that he would take some pikes out of the next work where he then was, and go where I had left those musqueteers, for fear the enemy should advance further; whilst he was drawing out those pikes, some soldiers that had been at the work told him particularly of that which happened, and of his brother's death. He it seems, being moved with it, advanced forward towards the work the enemy possessed of ours, and in the way the enemy met him at the push of the pike, and gave him a blow with the pike in the body, and tumbled him down; but he was rescued by those who were with him, the chief whereof was one Foxcroft, his clerk, and a soldier of mine, one Carr, of both which I heard him give a great many of good words, and how much he was beholden to them. This wound in his body made him keep his lodgings a week, so as that Friday se'nnight which he was hurt, towards the evening he came down into the Ravelin the English guarded, and there meant to watch all night, though many persuasions were used to him to the contrary, for his strength was not fit for it, yet he would have his own will; and, to show he was strong and well, he would go to the wall to shoot off a piece: at which instant, one of the enemy's cannon gave fire and pierced the parapet, lighted on his thigh and broke the bone; so as that night, towards the morning, he died. I met him as he was coming off, and telling him how sorry I was for his mishap, he bade me farewell; told me he was a dead man, and would prepare himself for it. One of his servants came to me in the night, and desired me to come to him. It was then so active a night I durst not be from my business, for the enemy's approaches and our works were so near, as the enemy durst not work but by driving in of our sentinels, and making a continuance of assaulting us, which they did seven or eight times that night, so I could not then go to him, because I did imagine he might have something to speak

about disposing what he had, but he said little to him to that purpose. Towards the morning, his servant came to me and told me he was very ill, so I went to him, but found him not dead, but past speech or sense; and at the last gasp. I can only sweeten it to you with this comfort: they died with a general fame of honest men and valiant gentlemen, &c.

Jo. Burrough.

THE TRANSCRIPT OF ANOTHER LETTER, CONCERNING THE DEATH OF MY SAID BROTHERS, WILLIAM AND JOHN FAIRFAX,

Sent by the late Earl of Cumberland (then Lord Clifford), Indorsed to my Noble and Worthy Friend, Sir Thomas Fairfax, at Denton.

Worthy Sir,

I never took pen in my hand with more grief; for though the scope of my letter is to comfort you, yet are the contents so sad reports unto you of woe (declaring the death of your valiant and brave sons in the Palatinate), as I protest I sigh from the bottom of my heart at every pause, not knowing how to comfort you, being so wounded with grief myself, as it makes me begin in confusion. The brave sallies out of Frankendale were so often made with success by them, as I think it is impossible for time to survive the honourable memory of them as for tears to restore again to life the noble executioners of them; for (with the loss of fourscore of our men) there were slain above two thousand of the bravest Spaniards which Spinola left behind him in the Palatinate, and made still good the town till my Lord Vere and Count Mansfield raised the siege; but (alas!) two or three days before the relief, one of yours (John) was slain, with some sixteen more surprised by the enemy, upon the outworks, who cut them to pieces, when they had scorned to accept of the enemy's offer of safety, if they would yield themselves prisoners. The brave captain (as my informer tells me) two days after, being in the trenches, had his thigh took from his body with a cannon shot, but lived a day and a

half after, in which time he acted the part of as good a Christian as he had before of a successful commander, so as the happiness of his soul must necessarily extenuate the loss of his life, the one crowned with honour, the other with eternal blessedness. Their never-dying virtues of valour and Christianity came to them, by descent from your Christian and valiant self; as you gave them to him, so now I beseech you make use of them when God has taken him who was the great giver of them to you and him. Bearing this blow with a Christian valour, which I pray, may overcome the great grief in losing two such inestimable jewels, the honour of our time and kingdom. In this hearty prayer to you and to God for you, I rest,

Your afflicted and faithful Friend and Servant,

HENRY CLIFFORD.

A monument was erected to the memory of these valiant young Englishmen in the church at Frankenthale, and the inscription has been copied and preserved by their nephew, Brian Fairfax.

In the Dutch church at Frankenthale, in the Lower Palatinate, upon a fair monument erected in memory of my two uncles, William and John Fairfax, slain there, is this inscription :—

IN GRATISSIMAM MEMORIAM
DOMINI GENEROSI WILLMI FAIRFAX,
ANGLO-BRITANNI, HONORATISSIMI DOMINI
DNI THOMÆ FAIRFAX DE DENTON,
IN COM. EBORIENSI EQUITIS AURATI FILII,
COHORTES ANGLICAN. DUCIS INSIGNIS,
QUI ANNOS NATUS CIRCITER XXV.
POST ANIMI PLURIMA EDITA TESTIMONIA INVICTISSIMA,
UNA CUM FRATRE SUO JUNIORE IN OBSIDIONE FRANCOVALENSI
HIC (FACTÂ IRRUPTIONE) ABREPTUS
ILLE ICTU BOMBARDÆ PERCUSSUS, OCCUBUÊRE.
ANNO MDCXXI.

Upon the inauguration of this monument a great assembly of the people, soldiery, magistrates, and burghers took place; and a commemoration sermon was delivered by Mr. French, William Fairfax's chaplain. When Frankenthale was re-delivered, three years afterwards, Spinola marched out of the town at the head of his forces, but finding none of the King of England's army ready to enter, he returned, and, taking possession of the place, pulled down the English arms, and replaced them by those of the King of Spain. Yet even at this moment of excitement, when every other memorial of the English was treated with contumely and opprobrium, Spinola spared the monument of the two Fairfaxes, which was afterwards honoured and preserved by the Prince Elector of the Palatinate.

A picture of John Fairfax, with one eye, was hung in the gallery at Denton. Brian Fairfax furnishes the following particulars.

On his picture at Denton:—"Captain William Fairfax, third son of Thomas Lord Fairfax, of Denton, who with his brother John died honourably in defence of Frankendale, in the Palatinate, where a grateful monument is erected to his memory."

Aº { Dom. 1621. / Ætat. 28. }

At the sight of this picture the generous Prince Rupert, who lay at Denton, in his march to York, Anno 1644, commanded the house should not be injured for his sake.

Such force hath gratitude in noble minds,
Such honour even Virtue's shadow finds.

B. F.

In the same year, 1621, Sir Thomas Fairfax had the

misfortune to lose two other sons, who were also serving abroad; Thomas, who was killed in Turkey, and Peregrine, who was slain under the walls of Montaban. The particulars of this latter circumstance have been variously stated, and as the family considered it necessary at the time to investigate the facts, under a suspicion that Peregrine Fairfax had been treacherously dealt with, a relation of the details will not be uninteresting.

During the seige of Rochelle, one Hicks, an Englishman, undertook the dangerous enterprise of conveying a letter from Rochelle to Montaban, through the camps of both armies, in order to encourage the garrison of Montaban to hold out against the assaults of the enemy, by apprising them of the good condition of the Rochellers, notwithstanding the large force by which they were surrounded. Hicks, who was a man of great nerve and daring, made clear his passage through the army before Rochelle, and arrived in safety at Thoulouse, where the Viscount Doncaster was ambassador from Charles the First. Here he joined the English, and fell in amongst the rest with Peregrine Fairfax, who belonged to the train of the ambassador. Finding young Fairfax of a bold and gallant spirit, and being anxious to have a companion with him in the perilous business he had undertaken, Hicks persuaded Peregrine to ride with him to Montaban. It being known that they were of the ambassador's train, they obtained free access to the works and avenues, Hicks all the time secretly watching his opportunity to fly into the town. According to the reports which reached England of this transaction, Peregrine Fairfax was entirely ignorant of the mission upon which Hicks

was engaged, and was merely made use of by Hicks as an instrument through whose unconscious assistance, as a member of the ambassador's retinue, he would be the better enabled to effect his object. While they were both in the outworks amongst the troops, Hicks saw a favourable moment for the execution of his design; and, upon the instant, putting spurs to his horse, got off into the town through a shower of bullets, leaving Fairfax (astonished at the suddenness of the action) to fall a victim to the rage of the French soldiery. Their first impulse, after stripping him of his coat and pocket, was to kill him, but he drew his sword, and, making a desperate struggle for his life, was covered with wounds, and carried away into Montaban, where he lingered for a fortnight.*

Some three years afterwards Hicks returned to London, and the moment Ferdinando Fairfax heard of his arrival, he sought an opportunity of obtaining satisfaction for the grievous wrong which he believed had been committed upon his brother. Obtaining an interview with Hicks by means of a stratagem, he finally received such an explanation as, if it did not wholly satisfy him, was at least sufficiently sustained by evidence to deprive him of any further right to seek redress from Hicks. The statement made by Hicks, and supported by the testimony of a Mr. Webb, (who was on close terms of friendship with Peregrine Fairfax), was to the effect that before Hicks took Peregrine Fairfax to Montaban, he informed him of the nature of the enterprise, and that Peregrine voluntarily

* Howell in his Epistles says that Peregrine Fairfax died of a fever at Moys. This is a mistake.

entered into the design with him. The facts are fully stated in the following narrative in the handwriting of Ferdinando Fairfax, and in the subjoined statement, bearing the signature of Mr. Webb.

CONCERNING THE DEATH OF MY BROTHER PEREGRINE, VARIOUSLY RELATED IN SEVERAL HISTORIES IN PRINT.

TAKEN OUT OF THE HANDWRITINGS OF MY BROTHER FERDINAND LORD FAIRFAX.

THE third of June, 1624, I sent my servant to inquire for Mr. Hicks, that was come out of France, who having found him out, (pretended to speak with him from one Sir Edward Brown,) got a sight of him; who not knowing the party, said that he must needs go out of the town that night at four of the clock; which news he bringing me, I went instantly to Paul's, and walked there, wishing him to let Hicks know the gentleman was staying there for him, which he did, and then instantly he came, where finding me, I asked his name, and afterwards told him mine, and that I was brother to that unfortunate gentleman on whose miserable death he stepped to that little honour he had gained, by betraying him. He told me he did honour my name, and was sorry for the loss of that gentleman, which was so dear a friend to him, and that he did not betray him. To which I answered, that such was the best information I could receive from any, and therefore I was come to demand satisfaction of him by the sword. He said, "Sir, I am but a scrivener's son, yet my reputation is dear unto me. If I cannot give you satisfaction of my fair carriage of that business, I must satisfy you otherwise; but let me tell you how it was." Whereupon he began a discourse, showing that my brother did know of it from the beginning, and was a willing assistant to him in that enterprise. This altering the case (if it were true), made me require some more proof of it than his own words: whereupon he told me that one Mr. Webb, (a gentleman that was

my brother's dearest friend,) then in town, would justify it, and that he would come with him to-morrow morning to my chamber to satisfy me. This was the effect of our then words, save that in his discourse he seemed to lay some hard usage of the Earl of Carlyle's towards my brother, in delivering him so easily to be examined. The next morning he came with Mr. Webb, who justified that part of my brother's knowing it, as also some particulars of Hicks his fair carriage of the business. But (because words might be forgotten) I required it of Hicks in writing under his hand; and so giving him pen, ink, and paper, he wrote the declaration of the carriage of it, which Mr. Webb affirmed before Sir Thomas Belasis voluntarily. But because I could not exact anything from him by way of satisfaction, nothing remains from him for confirmation save what he said to Sir Thomas Belasis, upon his faith and credit, refusing to set anything under his hand at that time, because he would not seem questioned in the like manner with Hicks; yet since, by a letter to me, as may appear hereafter ensuing, he hath confirmed it.

FROM MR. WEBB TO SIR FERDINANDO FAIRFAX, KNIGHT.

SIR,

BUT to satisfy your request (who I desire in what I am able to serve, and to excuse a guiltless person wronged by misreport), I should have been loth to have entered into the repetition of that which I shall ever sorrow to have known. The relation which I made you in your chamber is all which I can say, that your brother was not ignorant of Mr. Hicks his purpose. This I am able to write upon my credit, since from his mouth I first received knowledge of it. What persuasions I used to dissuade from that action (especially your brother from accompanying him) need no iteration, since so much is set down by Mr. Hicks, who advised him to take the course he liked best, and was most secure. In him, therefore, (if there was any fault,) it was of ignorance, not of

malice. He deserved too well of all to be so treacherously dealt withal by any, especially by one whom he loved, and of whom he received, whilst I lived in their company, requital of the best nature. When you lost your brother I lost my friend, which, if it be not equal, it is next to kindred. Therefore if I had thought he had been betrayed, or not been assured of the contrary, till I had known one dearer in his love, I should have thought none more engaged in demanding of him than myself. Though I scarce know where since, (though he was taken prisoner,) yet he was safely delivered into my Lord Ambassador's house, where the past danger could not terrify him, that showed so much manly resolution in the midst of it; then did he suffer under no meaner a hand than the Almighty's, with whom he rests. Perhaps, sir, you may find many more large relations of this sad story, though none more true; I must confess I take no pleasure in it, therefore you may be assured to find no additions; and the respect which I owe unto his memory is of more force to bar me the concealing of anything which may do him right than all the world besides.* Esteem thus then, sir, of this I write, and I shall think myself beholden for doing you service, and ever rest,

Your servant,

THO. WEBB.

London, this 13th of June, 1624.

Mr. Webb told me (F. F.) that Hicks had no letters or employment from Rochelle; and if he had any, they were delivered to my Lord Ambassador, who read them, and advised him to go without them, for he had better carry the effect of them in memory than the words themselves, the which (if they were taken with him) would doubtless take away his life. He said that my brother Peregrine, when he was taken first by some musketeers, they took from him a red coat lined with fur, and laid with gold buttons, as also his hat and feather, and put their hands into his pockets, taking

out his money, which when they had done (and perceiving him a follower of the Ambassador's), feared to be questioned. One of them cried, "Let us kill him;" whereupon one other of them laid a musket to his breast to have shot him instantly, which he perceiving, cast it up with his hand as he was giving fire, and the bullet by that means went over his shoulder, but the powder burned his face very sore. Then he drew his sword and said, "I will not die alone;" and making at them he was knocked down, when instantly there came up certain horsemen and took him from them.

Nicholas Lobby, a Frenchman that attended my said brother Peregrine at Montalban, where he died, saith that he died about fourteen days after his hurts.*

Ferdinando, to whom this letter of Mr. Webb's was addressed, represented Boroughbridge in Parliament, but under what circumstances he obtained a knighthood, cannot be traced in any document we have had an opportunity of consulting. A variety of letters appear in the Fairfax Correspondence from Sir Ferdinando to his father, informing him accurately of the progress of public affairs; to which the following, from a different source, may here be added.

FERDINANDO FAIRFAX TO HIS FATHER SIR THOMAS FAIRFAX.

My humble duty remembered.

SIR,

THE Parliament hath now a week's rest, adjourned from Thursday last until the next: the offer made by both the Houses, I send you here a copy of. The King's declaration on Tuesday last, in the afternoon, was very full and satisfactory to our desires; but, being of that consequence, it was thought fit the committees of both Houses should

* Analecta Fairfaxiana.

confer their notes, and make it perfect, which, being afterwards presented to the King, they were a little mistaken; and, thus amended, our hopes grew cooler as it was read. There is a committee of six appointed to draw the declaration —the Earls of Southampton and Pembroke in the Higher House; the two Secretaries of Estate, the Chancellor of the Exchequer, and Sir Edwin Sands, in the Lower; which declaration being drawn, is to lie by his Majesty, to be made use of as occasion shall fall out, and not otherwise. The tilting, which should have been on Wednesday last, is put off until the next. The same day the Earl of Oxford practising, his horse fell with him, and his left arm is quite broken; and yesterday my Lord Mansfield practising, his horse likewise fell; presently after his lance brake, (though not upon that occasion), and both lying on the ground, were supposed dead, but he was instantly carried to his lodgings, whither I went to visit him; and he was indeed sore bruised, especially on his left side and breast, but the surgeons feared him not; and after their help he found much ease, and I hope will not be much worse. Padre Maistre is come, and pretends he was robbed of his letters and commission in France. The Low Countries are weak, and their enemy extremely strong; but because Sir Joseph Ogle hath wrote, I shall refer those things to his better pen: what helps we shall make them, God knows; for there is nothing yet forwarded in that or any other business, though I doubt not but you have rumours enough in the country of taking arms, and instant war. Sir, I humbly desire your blessing, and rest,

Your ever obedient son,

FER. FAIRFAX.*

27th March, 1624.

Of the surviving sons of Sir Thomas Fairfax, the most fortunate in his choice and mode of life was Henry,

* From a Collection of unpublished MSS. in the possession of Mr. Bentley.

who entered the Church, and was nominated, by his father, to the living of Bolton Percy. His quiet career offers a touching contrast to the turmoil and struggle in which the other members of the family existed. He lived in seclusion, discharging the duties of his office with unremitting diligence, and reconciling all factions around him by the gentleness and charities of his life. Upon a very small fortune he enjoyed a repose and contentment which was denied to the more celebrated members of his family. His uneventful biography will be found briefly sketched elsewhere.*

Charles Fairfax embraced the profession of the law, was a barrister of Lincoln's Inn, to which Society he bequeathed some valuable MSS., and distinguished himself by the acuteness of his intellect and the probity of his character. It was this gentleman who, from various sources, collected the "Analecta Fairfaxiana," so much prized by his successors; and it may be remarked, that the care with which the family records of the Fairfaxes were preserved is almost without a parallel. In no other collection are there to be discovered such a mass of letters and documents, public and private; pedigrees, not only of the different branches of their own family, but of all the families with whom they were connected by intermarriage; seals, mottoes, arms, and the varied paraphernalia of heraldic honours. All the Fairfaxes contributed something towards this curious depositary, which covers a period little short of two centuries; but Charles Fairfax, who was an accomplished antiquary as well as lawyer, laid the foundations in his own Collections, and in the indefatigable zeal with which he

* Vol. I. p. 62.

prosecuted his inquiries. This gentleman had a large family, and was enabled, by the success with which he followed his profession, to make a sufficient provision for them. During the early years of his life, he devoted himself to his profession, but in the civil war he was tempted to accept a commission of colonel of foot, which command he executed with great reputation, acquiring the intimate friendship of General Monk, to whom he stood firm with his regiment in Scotland when the rest of the army wavered. He marched into England with Monk, and was made Governor of Hull in 1659, which he resigned to Lord Bellasis, and had a pension of 100*l.* a year out of the port of Hull settled upon him and his heirs by a patent from Charles II. He died at Menston in 1673, at the advanced age of seventy-eight.

The representation of York occasioned Sir Thomas Fairfax considerable trouble during the period of the elections. His influence in the county drew solicitations upon him from all sides; and in 1620, Sir Thomas Wentworth, afterwards Earl of Strafford, who does not appear to have been then on terms of personal intimacy with him, besought his aid in his approaching contest with Sir John Savile.

TO SIR THOMAS FAIRFAX, KNIGHT, AT DENTON.

SIR,

BEING at London, my Lord Clifford showed me a letter which he wrote to you for your furtherance and assistance in the choosing Mr. Secretary Calvert and myself knights for the shire. I know the power my lord hath in

you, and that nothing can be added to his, yet I must, in his absence, again very earnestly move you to make all the strength of friends and number you can, to give their votes for us at the next election, falling upon Christmas-day, the rather because the old gallant * of Hewley intends certainly to stand, whom, indeed, albeit I should lightly weigh were the matter betwixt him and me; yet I doubt Mr. Secretary (if his friends stand not closely to him) being not well known in the country. Sir, you have, therefore, hereby an opportunity offered to do us all especial favour, which shall bind us to a ready and cheerful requital when you shall have occasion to use any of us. My Lord Clifford will be, God willing, at Tadcaster upon Christmas-eve, about one o'clock, where I assure myself he will much desire that yourself and friends will be pleased to meet him, that so we may go into York together; and myself earnestly intreat the company of yourself and them the next day at dinner, which I shall esteem as a double favour. I will here end your further trouble, and approve myself, when you shall have occasion to make use of my love and respect,

Your right assured and affectionate friend
to be disposed,
TH. WENTWORTH.

Wentworth Woodhouse, December 8th, 1620.

Sir Thomas afterwards stood for the representation with Wentworth, but was thrown out. The state of the country, and the conduct of the Saviles, are detailed in the proper place in the course of the succeeding volumes.

A close friendship, originating in these circumstances, afterwards grew up between Sir Thomas Fairfax and Wentworth.

We will take this opportunity (with a little violence

* Sir John Savile, of Hewley.

to chronology) to introduce some letters of Wentworth's, relating to domestic matters in his own family, which have not been published before, and which, although they do not concern the immediate subject of these memoirs, will not be unacceptable, as an illustration of the character of a remarkable man in an interesting aspect. His brother was a suitor for the hand of Lady Jephson's daughter, "Mistress Ruisshe," to whom he was afterwards married; and this correspondence discloses the whole of the negociations through which the marriage was finally brought to bear. The careful judgment and gentlemanly spirit of Wentworth's letters, on a matter which required to be treated with prudence and delicacy, cannot fail to excite admiration.

TO LADY JEPHSON.

MADAM,

I JUDGE it not in me civility, when my brother hath twice waited upon your Ladyship's daughter as a suitor, and with courtesy received by your Ladyship at your house, I should be silent the whilst and not acknowledge the trouble this hath been to you, and the favour you have nevertheless afforded a young man in the way, as much of his contentment (I assure you) in the merit and virtue of Mistress Ruisshe, as for the bettering of his future fortune. I confess her portion is a noble one, and he a younger brother; but let us be fairly understood, I beseech you, on our side too, and that we are not in that straitness of fortune, as to value any conditions equal to the love and estimation we are to have of the person of her we covet for a wife, and that if my brother did not value your daughter far more in this than in that other worldly respect, he should neither have had the will nor necessity to have sought the favour of Mistress Ruisshe, which now, if is true (so as not to be denied), such

power hath your daughter's perfections of nature and acquisition gotten over him, as I find he is above all measure ambitious to be accepted by her in that way of faith and affection wherewith he waiteth her good pleasure and the happy hour wherein she may be pleased to express herself for him: and, in this regard, finding him thus engaged, I must entreat your Ladyship's good word, upon this assurance and ingagement of ours, that if it be in our power to merit such a trust from you, so precious as such a daughter must needs be unto you, we both will endeavour to make her happy in the course of her life among us, even to the uttermost that our respects, affection, and means shall anyways enable us unto. She shall be ever to me and in my house, in every degree, as my own daughter; and, for him, if he prove not extreme kind and good unto her, he should be that which he is to no other friend he hath in the world; and this I will be able to say, that if he die the next day after she hath done him the honour to marry him, yet shall he leave her three thousand pounds better than he found her, which is no contemptible jointure, nay a better than most women have, who for the most part think themselves not ill dealt with, if their husbands leave them a preferment worth the portion they brought. But I affy his hope, and so doth he too, more upon her favour towards him, than anything else he hath which might persuade her, and much rather I desire he may acknowledge it thence than any other way, and that he may treasure up the dear remembrance thereof in his heart, to be the faithful witness unto him of those great duties he is to pay her back again all the days of his life, wherein if I could hold him so unworthy as that he would not discharge them with all possible hallowed care and circumspection, I should not at all acknowledge him for my brother.

Madam, I fear I weary you. In a word, therefore, all those good respects you shall be pleased to express for my brother in the furtherance of his suit, I shall acknowledge

them by the best of my services in all those things where I may have the happiness to be commanded by you, in the quality and belief that I am,

Your ladyship's faithful and humble servant,

WENTWORTH.

Dublin, Aug. 21, 1634.

Madam, I do extremely thank your ladyship for the good advice you gave my wife touching my little poor daughter, who, God be praised, hath found much amends by it, and her legs growing, as they tell me, much straighter and stronger.

TO LADY JEPHSON.

MADAM,

I AM to give you many thanks for the good reception I understand you have given my brother, in his suit to your virtuous daughter; and as this proceeds from that generous and noble disposition the world witnesseth for you, so shall it be valued, and returned you back by us, with all service and desires to become in your opinion persons capable the greatest trust your daughter hath to bestow upon us. Believe me, Madam, with so much respect and tenderness shall she be received into this family, in case she vouchsafe to entrust herself with us, that I am most confident not only she, but your Ladyship too, and her other friends, shall one day acknowledge to me, she was happily bestowed upon my brother; and that by his faith and love he hath better deserved her favour, than, it may be, a man of much better fortune might have done; and yet, fortune moderate, I will see, he shall come to Mistress Ruisshe withall; and justly will I perform every word I have spoken, from the first to the last, in this business; and not rest there neither, but go on with the firm and constant duties of a friend towards Mistress Ruisshe, equally after as before marriage; and not to her alone, but likewise to her friends, and amongst them, show your

Ladyship, in particular, how kindly I take your noble usage of my brother, and how perfectly I shall abide in all things,

Your Ladyship's

Most faithful friend and humble servant,

WENTWORTH.

Dublin, this 26th of September, 1634.

SIR,

As unto yours of the tenth of the last month, I have not much to trouble you withall, more than this, that I can truly say, there hath been no variation in my propositions concerning the fortune. I would see my brother provided of, from the first hour. Mistress Ruisshe was pleased to admit me to move it unto her, till this very moment; and those things I undertake and promise, I pursue with so intentive and hallowed a care, that I shall be beholden to you or any other friend Mistress Ruisshe shall like to employ in the settling this estate, to make all the objections that may be, for which I assure you I shall render you many thanks; for I desire nothing more than that the land may be full as beneficial and sure to them as is propounded; and if it be not so, if all the estate and fortune I have in the world may be able to make it good again, I will not fail to see all performed to her full contentment, for I purpose not to be guilty to any, much less to a sister-in-law, of a breach of trust in any kind.

For the lease you mention now made to Sir Robert Loftus, I can not see any reason as yet under your favour to alter my opinion, for I still conceive the right of the ancient tenant to be with the heirs of Sir Francis Ruisshe; howbeit, this is not much in the case neither, for as I formerly writ unto you, if I had not interposed, a stranger had carried it from you all, so as in effect it was a curtesy by me done for Sir Robert Loftus, or more truly for my lady and her children, without any more loss to you, than had befallen you howsoever.

But where you mention a wrong done hereby to my lady, your wife, surely I should be very sorry to be accessary in such a crime, she being a person that in good faith I have in very great esteem, and shall be very ready to serve in anything, wherein she may be pleased to command my service, but the same way of justification I make formerly, I make for myself in this also; it had gone from her altogether, if I had not interposed, and thus it goes no farther from her then her own daughter and grandchild, which I conceive with the affections of a mother, will not be taken for an unpardonable fault.

As for all things which may concern the happy proceedings and dispatch of this treaty to the satisfaction of all friends equally minded, and towards the future comfort of the young couple, I assure you I will be no more a wanting unto them than to my own life, nor give any delay in the full discharge of all which belongs to me; the rest I must leave to the good blessing of Almighty God, and the favour and good acceptance of Mrs. Ruisshe, trusting my brother may by his virtuous respect and usage of her one day make it appear her love was bestowed upon a gentleman that was far from undervaluing it or her, but that he held them both the dearest things to him that might be, of more value than all the world besides. I fear I grow wearisome, and therefore I will quickly come to an end of this letter, writing myself,

Your affectionate friend,

WENTWORTH.

Dublin, this 19th of November, 1634.

DEAR MISTRESS RUISSHE,

ALL the writings, now perfected, which are to pass the lands for your security, according to my articles, I here send you, that you may both see them, and the money they cost me; as also that, by comparing them with the articles, you may see whether all the parcels, by me undertaken with

your brother, Mr. Gifford, be not really and *bonâ fide* contained in these writings; and the writings of estating them upon you back shall be ready to be sealed and delivered unto you, upon your coming to town. Howbeit, these winds are still so westerly, as the letters, and with them the præcipe for taking the fine from you and my Lady Loftus, is not yet arrived, and before that come it will not be possible fully and finally to settle this business; no sooner shall I receive it but instantly I will advertise you of it. I have showed the writings to my Lady Loftus, and desired her ladyship to send them unto you. When you have satisfied yourself out of them, you may either bring them with you to town, or deliver them my brother to keep till we meet next, God willing. I pray you tell my brother Richard, Marris is dead, —most unfortunately lost betwixt Ferrybriggs and Woodhouse, which, for the present, puts me to a very great trouble in my affairs, and grief for his loss.

God Almighty give you ever of his best blessings, and foremost comforts, and so I rest,

Your most affectionate faithful servant,

WENTWORTH.

Dublin Castle, this present Friday, 1635.

MY DEAREST SISTER,

YOUR husband writes me how he is to wait of my Lady Loftus to Clones, but I trust you do not adventure yourself such a journey, for then in his absence you will be at better leisure to look over a letter from your other friends. My brother tells me you much desire to have the picture you were pleased to command of me: indeed it is done, and ready to be sent you into Ireland; and be you assured I will neither forget this your first request, nor any other hereafter, wherein you shall call upon my furtherance in any of your purposes: if the picture prove but as good as costly, it will not be unlike me.

You must do me the favour to get the inclosed safely

delivered to your husband, there being part of it in answer of what he wrote to me concerning my brother William, and part concerning the business of my lady your sister.

There comes along four pies of venison for my Lady Loftus; if you can find a means to send them, I shall be beholden to you for it.

The next that you hear from me will be, I trust in God, in Dublin Castle, where I am already very much in my thoughts, and in them never unmindful of you. Wishing you strength and health—strength to bring forth your first-born, and health many years after—with all the happiness and contentment your own heart can desire, whereunto I shall not fail lastingly to contribute the best and most affectionate endeavours of,

Your most faithful brother and servant,

WENTWORTH.*

Wentworth, this 11th of September, 1636.

We are not aware to what circumstance the following bantering little note, from Henry Lord Clifford, refers; but its good-humour and its ellipses (both in a great hurry, not to keep footman waiting) entitle it to a place. It is without a date, but must have been written before 1627:—

TO MY WORTHY AND MOST AFFECTIONATE FRIEND,
SIR THOMAS FAIRFAX.

WORTHY FATHER TRISTRAM,

I HAVE read your pleasant lines; and if your footman would but have staid, I assure I would have been as pleasant as ever I was in writing; but I will be shortly out of your debt in the same kind.

My brave old lad kicks at the gout; and rest assured I

* These letters are from Mr. Bentley's Collection.

would not quit your good company this summer for the fairest mistress on the other side Trent. Your footman desires my despatch; and though I am loth to break off my discourse with you, yet will I favour his legs so much as bid you abruptly farewell.

Yours, while he lives one hour,

HEN. CLIFFORD.

Londesburow, this Sunday evening.

I shall put in your gold into the bank, and I hope I shall many years get the increase of it. My Lord stands by me while I write, and commands to tell you he is proud of his ranger.

There are many documents scattered amongst the Fairfax papers which demand a place from their intrinsic interest, but which do not directly apply to the family history. The following appeal of the University of Cambridge for permission to allow their carrier, Thomas Hobson, to ply with his waggon between Cambridge and London, notwithstanding the prohibitory proclamation of the King, is of this nature. The substance of this petition is curious enough to justify its insertion, without looking for any better apology. This Hobson was rather a famous man in his day, and after making a large fortune by great frugality and industry, perpetuated his memory by building a stone conduit at Cambridge, which he supplied by an aqueduct, settling "seven lays" of pasture ground towards its permanent maintenance. To him is attributed the origin of the phrase "Hobson's choice," which arose in this way. He kept a stable of forty horses, always ready for travelling; but when any one came to hire a horse, he was

not allowed to make his selection, but obliged to take the horse that stood next to the stable door. In fact, he had no choice, and hence the phrase "Hobson's choice." There is honourable mention in the "Spectator" of this celebrated carrier, who died in the time of the plague, 1630, in the eighty-sixth year of his age.

TO THE RIGHT HONOURABLE THE EARL OF HOLLAND, CHANCELLOR OF THE UNIVERSITY OF CAMBRIDGE.

Petition of the University of Cambridge to Henry Earl of Holland, Chancellor of the University, that their Carrier, Thomas Hobson, may be allowed to travel with his Waggon as usual, notwithstanding the King's Proclamation.

RIGHT HONBL. AND OUR SINGULAR GOOD LORD,

WE are earnestly requested by our trusty and ancient carrier, Thomas Hobson, to be humble petitioners that your lordship will be pleased to procure him a toleration to travel between Cambridge and London with his waggons with four wheels, without incurring the danger of the penalty mentioned in his Majesty's late proclamation. Upon his information we have well considered of those inconveniences which will happen to his Majesty and the University carriages, without those waggons be suffered to go as they have done; for, first, it is impossible for him to carry from us to London those great vessels of fish for provision for his Majesty's household; secondly, the passengers, whereof most are scholars, women, or children, that travel to or from in them; thirdly, books, trunks, and other necessaries for our scholars, without danger of overthrowing, and great loss and spoil of such things as are committed to his charge in them: all which have heretofore been safely conveyed at reasonable rates from the city of London hither, and so from us to that place, covered, and by him secured from harms and damage to the persons and owners; which

cannot possibly be undertaken in carts, without greater charge and inevitable danger; the ways being deep in winter, and the carts more subject to overthrowing, and so spoiling of the owners' goods, and endangering the lives of those that pass in them. This our request for him, and that petition concerning this matter, which we are informed he hath lately delivered to your lordship, we refer wholly to your wisdom, and that honourable care and favour which you have always had, and showed to us and those which anywise do good, or wish well to this University, or any the members of the same. So with our most bounden thanks for all your lordship's most noble and honourable favours to us, we beseech you still to continue as ever heretofore, our most worthy patron and protector; and with our hearty prayers to the Almighty for your long life and happiness, we rest,

Your Lordship's most humble servants, &c.

The great event in the life of Sir Thomas Fairfax was now approaching—his elevation to the peerage. This honour was not unsought. He had served his country in various capacities, in the field and in the council, had given "hostages" to the state, and discharged, with credit, the onerous duties of his position in the North. His rewards had not been equal to his labours; and he felt that he was entitled to some mark of distinction, by which he might be able to transmit his name with advantage to his family. He accordingly put forward his claim to a peerage, founded upon his public services, but sustained, it must be admitted, by a still more tempting consideration, in the shape of a handsome sum of money, which he was willing to pay for the honour. The negociations were speedily concluded, and Sir Thomas Fairfax, upon payment of 1500*l.*,

was raised to the peerage, with the title of Lord Fairfax, of Cameron.* He lived many years to enjoy his dignity, and died in 1640, at the advanced age of eighty.

The character of this, the first Lord Fairfax, was that of a man of good sense and honourable dealings. In his domestic relations he fulfilled his responsibility with discretion and constancy; and his public reputation was unblemished. He was fond of retirement; is said to have taken great pleasure in breeding horses, and displayed his knowledge of the subject in an elaborate treatise, entitled "Conjectures about Horsemanship; what lessons the breed of each kingdom or country is fitted for, &c." He also wrote other works, chiefly on military subjects, and left behind him a collection of prayers, and sundry verses written in his own hand.†

He was succeeded by his eldest son, Ferdinando, to whose proceedings in Parliament and in the field such frequent reference is made in the succeeding volumes, that it will not be necessary to occupy much space with an account of him here.

A family dispute arose out of the will of the late Lord Fairfax, which entailed much litigation upon his successor. A third part of the personal estate was claimed by Mr. Henry Fairfax and his sister, but Ferdinando, Lord Fairfax, put a different construction upon the will, and refused to accede to their demand. Lawyers' opinions were taken on both sides, and, as is common enough, diametrically contradicted each other. The adjudication, however, was in just hands, for Lord Fairfax was a man of strict integrity, and desired on this occasion, as on all others in which he was engaged,

* Vol. I. p. 14. † Vol. II., p. 40.

to consult the justice rather than the technical merits of the case.

The numerous letters of Lord Fairfax scattered through these volumes display a steady capacity for parliamentary business. He was a thoughtful observer of the busy scenes in the House of Commons, of which he became a member (for Boroughbridge) early in life; and although he never distinguished himself in the debates, he was evidently held in considerable estimation by the Protestant party, to whose interests he was attached. Upon the breaking out of the civil war he was appointed general of the Parliamentary forces for the associated county of York; and the energy he displayed throughout the harassing campaigns in which he thus became engaged, proved that the choice of the Commons in that grave emergency was not misplaced.

His father had never entertained a very high opinion of the talents of Ferdinando. He thought he was well fitted for the bench of justices, a duty which he discharged with zeal and good sense, but that he was deficient in the intrepidity necessary to the conduct of military affairs. The sequel showed that this estimate did injustice to the merits of his son.

Lord Clarendon represents Ferdinando, Lord Fairfax, as having been "actively and factiously disaffected to the King." In the same sense the Parliament of England on whose side he fought, might be said to have been disaffected. It must be remembered that this branch of the Fairfax family had suffered for their principles in the person of Sir Thomas Fairfax, the father of the first Lord Fairfax, who was disinherited for his adherence to the

Protestant faith, and that his successors paid the penalty of martyrdom in the narrowness of their estates. This was not very likely to reconcile them to the arbitrary attempts of Charles I. to levy burthensome imposts upon his subjects, and chiefly upon the gentry, already impoverished by the pressing necessities of the State. They were naturally allied with the popular party; but the formidable resistance which this influential family offered to the progress of the King in the North was strictly confined to the field of battle to which the King wantonly challenged the people; and, from the first to the last scene of this disastrous conflict, they never favoured the intrigues of faction. If all men at both sides had acted with equal candour and magnanimity, the country would have been spared much bloodshed and calamity.

The first action in which Lord Fairfax was engaged took place at Tadcaster, where he lay intrenched in December, 1642. The Earl of Newcastle, who had been one of his father's most intimate friends, invested the place with four thousand men, while the garrison amounted to only nine hundred. The town being judged untenable, the garrison drew out to an advantageous piece of ground, when a close fire was opened at both sides, which lasted for six hours. At last, growing dark, the royalists retreated into the fields, leaving upwards of two hundred dead and wounded on the ground; and the parliamentary forces having expended all their ammunition, took advantage of the night to retire upon Selby. The next morning the Earl of Newcastle entered Tadcaster.

His next engagement was, in the following January, at Nantwich, in Cheshire, where he completely routed

Lord Byron at the head of a large body of Irish, who had just landed to reinforce the royal army. The slaughter upon this occasion was immense; but the most memorable event of the day was the capture of Colonel Monk, who, by an extraordinary concurrence of circumstances, turned his disaster to such account, that he gained the entire confidence of the Parliamentarians, and afterwards lived to be mainly instrumental in the restoration of the Stuarts.

These successes were followed in June, 1643, by the signal defeat of Lord Fairfax on Adderton Moor, by the Earl of Newcastle. The forces were unequal, and the Parliamentary General acted with censurable rashness in risking a battle against such overwhelming odds, the Earl's army consisting of ten thousand men, and that of Lord Fairfax being only three thousand strong. The loss on the Parliament side was very heavy in this engagement.

The failure here was balanced by the defeat of Lord Bellasyse at Selby, in April, 1644, when that nobleman and 600 of his forces were taken prisoners. In the following September, a corps of 1,500 horse from Cheshire surprised Lord Fairfax's quarters at Ferry-bridge, where they defeated two regiments of his horse; but shortly afterwards, breaking through the King's troops, he forced his way to Southampton, where he was joined by the Earl of Manchester. His lordship finally commanded at the great battle on Marston Moor, which took place on the 3d of July, 1644, and after that event was appointed Governor of York.

Lord Fairfax's share in the military transactions of this period, cannot be represented in an outline of the

actions in which he was personally engaged; but must be traced in his organisation of the forces placed at his disposal, and his disposition of their movements. All these details are fully embraced in the correspondence. He laboured, for the most part, under the disadvantage of inferior numbers; and whatever vicissitudes attended these unequal contests, arising frequently from the unavoidable precipitancy with which they were undertaken, history must do justice to the courage and constancy of his conduct.

Ferdinando, Lord Fairfax, was married, as has been already stated, to the Lady Mary, daughter of Lord Sheffield. By this lady he had issue, first, Thomas, afterwards third Lord Fairfax; second, Charles, a colonel of horse, who was slain at the battle of Marston Moor; Ursula, who died unmarried in the 18th year of her age, and was buried at Bishop Hill in York; fourth, Ellen, married to Sir William Selby, of Twisle, in Northumberland; fifth, Frances, married to Sir Thomas Widdrington; sixth, Elizabeth, married to Sir William Craven; seventh, Mary, married to Henry Arthington, Esq.; eighth, Dorothy, married to Sir Richard Hutton, of Popleton, Esq. Lord Fairfax afterwards married Rhoda, daughter and heiress of Thomas Chapman, Esq., and widow of Thomas Hussey, Esq., heir-apparent to a Lincolnshire baronetcy. By this lady he had issue Ursula, who was born a fortnight before his death, and was married to William Cartwright, of Aynho, Esq.

The name of Ursula frequently occurs in the Fairfax family. Amongst the children of Lord Fairfax, whose names are given above, we find there were two Ursulas. Sir Philip Fairfax, who married Lady Frances, daughter

of Lord Sheffield, and sister of Lady Fairfax, also had a daughter whose name was Ursula.* We are enabled to supply an interesting little episode concerning this lady. She was a person of a serious and virtuous character, and inspired with an ardent attachment for Mr. James Chaloner, who was a member of Parliament, and deeply engaged in the political movements of the time.

In the following letter Mr. Chaloner chides her lovingly for not answering his frequent letters, and urges his suit with a graceful tenderness which is very charmingly expressed:—

TO MRS. URSULA FAIRFAX.

DEAR MISTRESS,

NOTWITHSTANDING my many employments, which might plead an exemption from weekly travail in writing, I cease not to woo you as seriously and more affectionately than when I first became your petitioner, and for your part with as much tacitness when I consider my five for one, as when I was (as then I was) no better than odious. I would fain, if I knew how, salve the interruption of content which this silence of yours hath bred in my mind. I frame many causes; but, because there is no infallibility depends upon conjectural fancies, I remain restless, thoughtful, discontented: not that I fear any coldness in thee, having had evident proof of thy temper, thy love, but that which troubles me is chiefly, that thou thinkest I suppose that I should

* Anthony Wood says she was the daughter of Sir William, and granddaughter of Sir Philip. We adopt the pedigree given in the "Analecta Fairfaxiana," which we take to be better authority. Sir William had no daughter of the name of Ursula, and, if he had, she must have been too young at the date of these letters to have attracted the attention of Mr. Chaloner.

value the frequency of letters (as tradesmen do a plentiful commodity) at a low rate. No, sweet mistress, if you conceive so you will mistake; for if such things as conduce to a man's happiness can be entertained with satiety or loathing, then verily you may conclude with your practice. But I know you have a rational brain, and a constant kindness of disposition towards me, which will neither permit you to err nor forsake. In the assurance whereof, and with a longing and insatiate desire to hear weekly from thee, though but a word at a time, so that it be a loving one, I rest,

Your most faithful, most obedient,
and most affectionate servant,
JAMES CHALONER.

London, 18*th Nov.* 1633.

Mr. Attorney, and some other eminent practisers of the law, are very instant with the gentlemen of the Inns of Court to entertain the desires of the Lords of the Council signified to them for a masque this Christmas at Court; so there is made a great levy in the four houses of four thousand pounds for this purpose. There must be sixteen masquers, four of a house, the charges of whose masquing clothes shall be borne at the public cost, and twenty-five gentlemen of each house bravely apparelled, to ride to the Court with them, all at their own charge, the King only allowing them his great horses.

The Duke of York is not yet christened, and it is not known when he shall be. The godfathers are to be the Count Palatine with the Prince of Orange, the godmother the Queen of Bohemia.

The last week one Bowyer was sentenced* to the pillory, and perpetual imprisonment in Bridewell, for uttering at Reading (where my Lord's Grace of Canterbury was born) divers scandalous reports of his Grace: as that he was an Arminian; that he had written to the Pope promising his

Censured in the original.

assistance for the propagation of the Roman faith here; that he held that the Virgin Mary's midwife interceded for us to God; that the Virgin Mary was no human creature; and that he preached a sermon before the King in Scotland which was fitter to have been preached before the Pope: and lastly, that for these he was confined to Fulham House, which belongs to the Bishop of London, and twelve of the guard appointed to watch him by day, and as many by night.

J. C.

There is another letter dated two months later, in which he alludes to the re-payment of a sum of money she had advanced or lent, and tells her that he is on a visit to the Fleetwoods, who toast her at every meal, even the lady of the house drinking to her health. His father, Sir Thomas Chaloner, had married the daughter of Sir William Fleetwood, recorder of London, and the Fleetwoods were consequently his cousins.

TO HIS ENTIRELY LOVED AND HIGHLY-HONOURED MISTRESS, MRS. URSULA FAIRFAX.

DEAR MISTRESS,

I HAVE procured of my Lord Fairfax the courtesy to return you your forty pounds, which his steward will pay unto you upon the receipt of the inclosed letter. My cousin Fleetwoods (with whom I am yet, and shall continue until Wednesday next,) drink unto you every meal; so doth also the lady of the house; and they have all enjoined me to present their faithful services unto you. The last week I wrote unto you, and making a false computation of the time, my letters came to your hands even upon Twelfth-day, amidst your most jovial pastimes, it being the breaking-up of the holidays; but I know you desire to hear from me at

all seasons, so that no time will be unseasonable for that purpose; neither is it needful, then, that I make any apology for so doing.

Mistress,
I am thy most faithful, most obedient,
and most affectionate Servant,
JAMES CHALONER.

Woodford, the 5th of January, 1634.

The old Countess of Leicester, deceased upon Christmas-eve.*

This James Chaloner, whose gentle attachment it is pleasant to know was finally rewarded by the hand of the lady, received his education at Brazennose College, in Oxford, and afterwards studied at the Inns of Court. He cultivated various branches of learning, distinguished himself as an antiquary, and was author of a "History of the Isle of Man." Being a member of the Long Parliament, and much mixed up in their transactions, he was appointed one of the Commissioners of the High Court of Parliament to try the King; but after having attended nearly every day at the commencement of the proceedings, he withdrew from the later sittings, and was not present when the sentence was pronounced, nor did he attach his signature to the warrant for his Majesty's execution. In consideration of this latter circumstance his life was spared at the Restoration, but his estates were forfeited. His brother, William Chaloner, who was also one of the Commissioners, went to the utmost extremity with Cromwell's party, and signed the warrant; and upon the return of

* These letters are from Mr. Bentley's Collection.

Charles II., after an ineffectual attempt to make his peace at Court by the publication of a paper, called "A Speech, containing a Plea for Monarchy," he prudently withdrew to Holland, finding himself excepted out of the Act of Oblivion. He dicd soon afterwards at Middleburg, in Zealand. James Chaloner did not live long to enjoy the royal clemency. He died in 1661.

The following poem, written in an elevated and somewhat fanatical spirit, by a parasitical follower of an unprincipled politician, is illustrative of another incident in the Fairfax family. It is addressed to Sir Thomas Widdrington, on the occasion of the death of his wife, the third daughter of Lord Fairfax.

TO SIR THOMAS WIDDRINGTON, KNIGHT,

UPON THE DEATH OF HIS DEAR CONSORT, THE LADY FRANCES, DAUGHTER OF FERDINANDO, LORD FAIRFAX, WHO DIED MAY 4, ANNO 1649.

Sir, when we parted, little did I dream
Or muse that my sad Muse's doleful theme,
Should be your sacred consort, but 'tis fit
That Heavens do what they please and we submit.
So doth my humble verse; no harsh complaint
Or murmuring noise shall stir the sleeping saint,
Or touch your bleeding wound. The minstrels play'd*
Unwelcome tunes o'er the deceased maid;
So were discharg'd, nor suffered to increase
Her parents' grief with mournful lachrymæs.
'Twere not unseemly to congratulate
Your lot, that erst enjoy'd so sweet a mate;
Nor need you, Sir, her want so much condole,
As joy, that once you had so dear a soul.

* Matth. ix. 23.

Not her still presence here would us prefer
To bliss, but blest were we, were we with her.
Her beauty was intrinsical divine;
Wisdom not ceruse made her face to shine.
No pencil can her amarous shade portray,
As she in postures of devotion lay.
Prostrate sometimes she would (ambitious) greet
And lick the dust of her Redeemer's feet.
Sometimes her sharpen'd looks and piercing eye
Wrought to the throne of grace thro' th' yielding sky;
Sometimes she, Israel-like, with courage rare,
Manfully wrestled on her knees in prayer;
Then with intranced spirit she mounts from hence,
And heaven's great kingdom takes by violence.
She and her conquering brother both have fought,
And in this island great achievements wrought;
He by the dint of sword prevail'd, and she
By her incessant importunity.
Her hands lift up, like Moses, beat our foes
More than her brother Josuah's arms and blows.
He towns and garrisons, she heav'ns surpriz'd,
And truly was St. Francis stigmatiz'd;
Bearing the marks of her transfix'd king,*
Confirm'd to Jesus in her suffering.
And you in her like suffering have sustain'd,
Alas! what sweetness and what honey's drain'd
From you, while the old stock and the young swarm
Are rent from the embraces of your arm;
Thus Eli's gracious daughter took her death,
First parted with her son and then her breath;†
And more than her sharp labour she bemoans
Th' ark, husband, father's loss in dying groans.
So Israel's consort, rack'd with torturing throes,
Expir'd, and shar'd in her first parents' woes
And direful curse, the bitter fruit of sin;
Yet her surviv'd a little Benjamin,

* Gal. vi. 7. † Sam. iv. 20.

Some little comfort to the father's life,
Tho' small to get a son and lose a wife;
More than ten children yet you do embrace
(Such Christian fortitude there is in grace).
A sharper cross, a rib 's torn from your side,
And your own child, the guiltless parricide,
Must suffer too, and with the mother die,
His funeral before nativity.
One death takes two at once, one in the other,
Th' infant 's the corpse, the tomb his labouring mother.
Entombed straight herself, this multiplies
Your loss when the issue with the phœnix dies.
Yet on this loss your eyes, O! do not fix
Too long; her that took twain hath left you six.
Admir'd bounty! Since these olive plants
All grow save one, and the sweet little saints
Stand round about your table, where you may
Their mother's eye and virtue still survey,
And for that one which languishes to be
With her dear parent in eternity,
You willing are, and freely do resign
Her and your will unto the will divine.
Long may they your paternal care enjoy,
You their obedience and sweet company;
So you in them your consort may regain,
And they in you their mother, so her vein
And yours may still derive that generous blood,
To them to make them great, but much more, good;
And may the days which were cut off from hers,
Be added to your long extended years.
Still prosperous be your life, and late your end,
So prays your hearty and your humble friend,

Jo. Favour.*

Sutton, May 19, 1649.

Ferdinando, Lord Fairfax, died at Denton, of a

* Analecta Fairfaxiana.

gangrene in his left foot, on the 13th of March, 1648, and was buried at Bolton. Like his father, he had a fancy for rhyming, which he principally indulged in putting the psalms into "exact verse;" but such leisure as he could snatch from war and country business was chiefly devoted to the study of mathematics, a subject upon which, it is said, he made considerable collections. The respectability of his character was unimpeachable. That was his highest merit; and it was duly celebrated in an epitaph by one Mr. Thomas Calvert, of which the following lines will suffice as a specimen. The puns upon the name of Fairfax are not in the best taste, considering the seriousness of the occasion; but allowances must be made for the good intentions of the doggrel.

"Cambden you speake too low, Britaine can tell
More Gloryes due vpon this name to dwell
Than to give Etymon from Faire bush of Haire,
A poor Eulogium for a name soe rare.
But were itt soe of ould, now Heaven's intent
Beinge to create this name an instrument
Of Publiq Weale declared by glorious Acts,
Wee wronge noe Herault to call thee FAIR FACTS.* "

The same Mr. Favour, who, in the following year, (for we have disturbed the order of time by introducing the lady first) produced the funereal poem we have just quoted on the demise of Lady Widdrington, also brought his offering of condolence to his patron, on the occasion of Lord Fairfax's death. It is unnecessary to prepare the reader, after the specimen he has already had, for the quaint glitter and occasional barbarisms of Mr. Favour's verse; nor to say that this long piece of fustian is inserted merely as one of the curiosities found amongst the records of the family.

* Analecta Fairfaxiana.

TO THE HONOURABLE SIR THOMAS WIDDRINGTON, KNIGHT,

ONE OF THE COMMISSIONERS FOR THE GREAT SEAL OF ENGLAND, UPON THE DEATH OF THE RIGHT HONOURABLE FERDINANDO, LORD FAIRFAX.

I promis'd you a verse; my duller mood
Makes the verse bad, but yet my promise good.
Since bad, discretion 't were to be more sparing;
Your known indulgence, Sir, makes me thus daring.
You 've oft ere this indur'd my boldness, for
Your poet was once your humble orator;
And you his pleading and prevailing too,
Did freely more for him than angels do.
Sir, you were so benign to me and mine
(In number ten), that should be sacred Nine;
And their great master, Cyntheus, all conspire,
They with their fountain, he with Enthean fire,
T' inspire my genius with their influences,
And sublimate my gross and growling senses.
I would expend them all on Camaron,
Fairfax the mild, and his renowned son.
Fairfax the Great, what glorious things have been
Acted by him upon our English scene,
Which we all know: he only will not own,
Bids us sing Pæans to the Lamb and throne.
All 's done: how could a wounded soldier do it?
Yes, with the powerful hand and arm join'd to it,
Whose finger is almighty: this he sees,
Lifts up his hands and lowly bends his knees.
With him should all adore what they confess,
And see God's finger in the business.
I have digress'd from my intended theme;
Misled, but happily by that sunbeam
Which warms our clime and realm, now orient
To us since his old father's day is spent;
Yet he 's so much meridian, that our zone
So northern, doth her winter spring bemoan;

Imputing to his distant absence all
These perishing storms, bleak winds, and show'rs that fall.
May soon his presence our horizon bless,
May he his happy long-home late possess,
Meantime propitious stars direct his way,
And fight with him 'gainst wearied Sisera.
I cannot hold, but carried by the stream
Of my affections, have forgot my theme.
Your brother general's that strong Euripus,
Which my intranced Muse transporteth thus.
I kiss his hand, take leave, and must recruit
My scatter'd Muses on the solemn lute
Of sad Melpomene, who waits on tombs,
And sighs out doleful epicediums.
These antiquated, tho' we must devise
For our dear Lord some weeping elegies;
Yet his sick spouse, your consort, friends, and you,
Need not with liquid pearls his hearse bedew;
In vain we shed our tears, and fruitless pray
For him from whom all tears are wiped away.
Let his curs'd enemies repine and mourn
That we with honour prosecute his urn,
Whilst his surviving virtues we transfer
To ages in a lasting register.
Cornelia thus, that well-bred Roman dame,
With sweet composure she her looks would frame,
Tell her brave Gracchi's deaths, her grief beguile,
And at their poor-condition'd victors smile;
But your religious sisters curb their wills
And passions by diviner principles;
They bless God for his night as well as day,
Both when He gives and when He takes away.
And so our patient Huzzite taken hence,
Took all things cheerfully from Providence;
Welcomed both Hessay More and Adderton;
Fretted nor chafed whether he lost or won.

And what sinister chance's frowning look
Gave with the left, he with the right hand took.
He was a great commander in this nation,
Not of his soldiers more than of his passion.
Self-conqueror first he grew; more expert thence
To fight abroad by home-experience.
His very foes saw with impartial eye,
And fam'd his justice mix'd with clemency.
Nor Titus more benign, or did demean
Himself more winningly, when most serene
Stil'd the delight of mankind; Fairfax more
Was the delight of Christians; rich and poor
Tasted his bounty. How sincere, how sweet,
His words and actions were, and how discreet!
Fierce, mild, grave, pleasant, too, you might him call;
Free, frugal, modest, bold, but wise in all.
His swarthy brow by brightness was enshrined,
Enlightened by the candour of his mind.
So now the integrity did keep him warm
'Gainst chilness and cold fear: no threat'ning arm
Of flesh can daunt that spirit that doth depend
On heav'n, and a good conscience, his best friend.
So he, adventurous in fields of blood,
Appear'd, and durst, in these ill times, be good.
You know this best, and loved the gallant man
As Jesse's son, industrious Jonathan.
Nor are our thanks and honour only due
To him, but to's religious daughters too.
His counsellors of his own getting were,
And help'd to save his life that gave them their.
So they excite him, prophesy and pray,
He the stout Barak, they the Deborah;
And Jaels, too, whilst the devoted Saints
Impede the enemy with just complaints,
And driving to the head the pointed nail
Of their loud importunities, prevail.

So on their knees like wrestling Israel fight,
Struck dead th' antagonist and the Canaanite.
Fairfax in 's children doth himself survive,
Nor can he die, while kindly they derive
That influence of grace which late was his,
Now theirs by a blest metempsychosis.
I should extend my Muse, and now describe,
In grateful verse, his goodness to our tribe.
He lov'd the learn'd, but chiefly would prefer
The honest and laborious minister;
Did save our minster, too; lantern restore;
Both rescued from the Caledonian boar,—
Fairfax preserv'd. Ebrank the church did found;
He built it; th 'other kept it from the ground.
'Twill serve for his firm monument, and endure
Like his immortal fame. How premature
Was his decease; how soon the gangrened part
Struck him and his dear country to the heart.*
Licentious Death can find an open door
Through the least member and the narrowest pore.
The soul 's not to the head confin'd, or heart;
But 's whole i'th' whole, and whole in every part.
What doth Death not usurp? whom not destroy?
The frozen waters stab the Roman boy;
The Teian poet, old Anacreon,
And Sophocles, die by a raisin stone.
A slender fish's bone, and smaller hair,
One Tarquin chokes, th' other in his chair.
Fabius, the senator, the tooth of a comb,
Rippled, and sent Ruffinus to his tomb.
A child and needle's touch was the sad slaughter
Of flowry Lucia, brave Aurelius' daughter.

* It will be seen that Mr. Favour here alludes to the cause of Lord Fairfax's death, upon which, in the subsequent lines, he raises such an alarming superstructure of illustrations.

The least impression in th' exterior part
May rankle, stealing creep, and reach the heart.
Man's breath within his crazy body pent,
Like Noah's restless dove, abroad is sent;
Retires again; at last, with nimble flight,
Takes her long leave, and bids perpetual night.
As the swift dove, such is the quick expense
Of breath; let 's match her too in innocence.
While innocence, which this black guilty time
Condemns, to be innocuous is a crime,
Your wits (who goodness slight and can confute),
This as a blemish to my love impute,
And thus integrity itself impeach.
Some say his length was more than depth or reach—
Pray, what 's become of that deep-reaching man,
Strafford, profounder than the ocean?
Hothams and Canterbury? All asleep,
Being sunk and overwhelm'd in their own deep.
Wit is the subtle daughter of the head;
The parricide has struck the mother dead.
Who honestly deserts, and doth depend
On wit, will soon be brought to his wit's-end.
Cloud-threat'ning pride, and hell-deep policy,
On these Heav'n looks with a revengeful eye.
My Fairfax chose the straight and even way,
Took for his guide and period truth and day.
All his projections he proclaim'd aloud,
Walk'd not envelop'd in a secret cloud,
Like wanton Jove of old, but our plain friend
(Plain, though his brave progenitors did descend
From the great Conquest, and his generous son
Had new accessions to his honour won
By greater conquests), yet, so free, so square
In his transactions was, so debonnaire
In his deportment, and in all so clear,
As lofty Phœbus, mounted in his sphere.

These virtues are the precious balm, whose scent
Lasts longer than the Carian monument.
And now my Muse expires, yet still would live,
Might her short stay some contribution give
To Fairfax's embalmed memory;
But he is gone, and she desires to die.
Let some smooth Claudian his life set forth,
My slender verse doth but impair his worth.
Only contemplate, and survey his end,
He sees't that sees the glorious sun descend,
Whose brightness having gilded o'er the day
With silver beams, sets with a golden ray
To rise again. His course thus fairly run,
He shall mount thither where's no need of sun;
Where God's th' eternal light, where he shall see
Fullness of joy in His sweet Majesty.

JOHN FAVOUR.*

The will of Lord Fairfax is a document of too much interest to be omitted from our brief outlines. It developes his character clearly, and shows with what care and justice he endeavoured to distribute his protection over the members of his family. When this will was drawn up, Lady Fairfax was on the eve of her confinement, and Lord Fairfax herein provides for the event, which, however, took place a fortnight before his death.

THE WILL OF SIR FERDINANDO FAIRFAX, KNIGHT, BARON OF CAMERON.

IN the name of GOD, Amen.—The Twelfth day of March, One Thousand Six Hundred and Forty-seven, I, Sir Ferdinando Fairfax, Knight, of Denton, in the county of York, Lord

* Analecta Fairfaxiana.

Fairfax, of Camaron, do hereby declare this my last will and testament: First, I do commend my soul into the hands of that Infinite Majesties the Father, the Son, and the Holy Ghost. The same God who hath, with his manifold blessings, been gracious unto me in this world, and whose goodness, in his great mercy, I hope to enjoy in Heaven. Next, I give my body to be buried without much pomp or ceremony, in what place it shall please God to call me out of this sinful world; but, if with convenience it may be, I desire to be interred in the parish church of Bolton Percy, near the body of my dear wife, deceased. Item, I give unto my son, Sir Thomas Fairfax, all the plate, books, and household stuff at Denton, which my father left me; as, also, all the silver vessels for which old plate was exchanged; as, also, all my stallion horses, brood mares, and foals. Item, I give to my daughter-in-law, his wife, one jewel of gold, wherein are set one emerald, two rubies, and four little diamonds. Item, I give to each of my daughters ten pounds, to buy some rings, plate, or jewel, as they shall think best. Item, whereas I have, by two several indentures or deeds, the one of them bearing date the 10th day of March, 1647, and the other of them bearing date the 11th day of March aforesaid, 1647, conveyed my several manors of Ottley, Rippon, and Hartlington, with their and every of their rights, members, and appurtenances, unto Sir Thomas Widdrington and Henry Arthington, Esq.. and their heirs, upon such trusts and estates, and to such intents and purposes as I should declare and appoint by my last will and testament in writing, to be signed with my own hand, and sealed with my own seal, in the presence of two or more credible witnesses, I do hereby ratify and confirm the said deeds, and express, will, and declare that the same shall be and stand in force, and upon such trusts, uses, intents, and purposes as are or shall be limited, declared, and appointed by me, in and by this my last will; and I do hereby give unto my wife, the Lady Rhoda Fairfax, for her life, and for and in full satisfaction of

all such dower as she may claim out of any of my manors, lands, tenements, or hereditaments, and of all such right as she may demand to any part of my goods, chattels, or personal estate by the custom of the province of York, or otherwise, the said manors of Hartlington; and, also, all my lands at Oulston, in the county of the city of York, which lands at Oulston I lately purchased in the names of Sir Thomas Widdrington and Henry Arthington, of Arthington, Esq.; and I do hereby appoint and require, that an estate shall be made to her accordingly for her life, provided that she claim no dower of my lands, or any part of my personal estate, by the custom of the province of York, or otherwise, further nor other than what I give unto her by this my last will; and if it please God that I have a son by my wife, then I give unto him all my manor and lands of Bolton Percy, in the county of the city of York, and all my said lands of Oulston and Hartlington, and the manor of Ottley, with all the rights, members, and appurtenances, to have and to hold the said manors, lands, and premises to him, and the heirs of his body; and my will is, and I do hereby appoint, that, for the said manors of Hartlington and Ottley, and the said lands at Oulston, that an estate be made unto him and the heirs of his body accordingly, by the said Sir Thomas Widdrington and Henry Arthington, or the survivor of them; but in case I have no son, or that he die without issue, then my will is, that Bolton Percy aforesaid descend with other my lands formerly estated upon the heirs male of my late father, deceased; and in case I have no son by my said wife, then I give, limit, appoint, and bequeath the manor of Hartlington, and my lands at Oulston, after the death of my wife, unto the said Sir Thomas Widdrington and Henry Arthington, and their heirs, to be sold by them, or the survivors of them, or the heirs of the survivor, after the death of my wife; and I will that the moneys' proceed arising by the sale thereof, shall be distributed and disposed of them to such purpose and trusts as are hereafter expressed and appointed by this my

will, unto all my grandchildren, according to the number of them which shall be living at the time of my death, equally amongst them, except to my grandchild Mary Fairfax, daughter of my son Sir Thomas Fairfax, who is otherwise provided for, and to whom I hereby give the sum of one hundred pounds, to buy her a jewell withall; and I do also give unto my said wife my coach and coach-horses, and all the plate which I had with her. Item, I give the said manors of Rippon and Ottley, with their and every of their rights, members, and appurtenances, unto the said Sir Thomas Widdrington and Henry Arthington, and their heirs, to be sold by them or the survivor of them, or the heirs of the survivor, and the moneys to be distributed by them amongst my grandchildren as aforesaid: Provided always, and it is my express will and desire, that they sell the said manors of Ottley and Rippon to my son, Sir Thomas Fairfax, at such rates and price as I bought the same, in case he please to buy the same. And if my said wife be delivered of a daughter, I give only unto her in money, as followeth, viz., one thousand pounds, to be paid her by my executors, hereafter named, out of my personal estate, within two years after; the other thousand pounds to be paid out of my lands of Oulston and Hartlington (which I have lately purchased), after my said wife's decease, which I have given power to my trustees to sell for that and other uses; and if my said daughter shall die before she shall marry, it is my will that her said portion of two thousand pounds be divided equally among all my grandchildren then living; and I do hereby appoint Sir Thomas Widdrington, Knight, and Henry Arthington, Esq., aforesaid, to put forth and improve the said portion (as it shall be due to be paid) to her use, until she shall come to lawful years to demand the same. And for the remainder of the money (after the said lands be sold) I give it unto my said grandchildren then living, equally to be divided amongst them. Item, I give unto my brother Mr. Henry Fairfax, ten pounds; and to his sons, Henry and

Brian, either of them, ten pounds. Item, I give to my brother, Mr. Charles Fairfax, ten pounds; and to every of his children then living at the time of my death, ten pounds. Item, I give unto Sir William Constable, Baronet, ten pounds; and to his wife, my dear sister, one hundred pounds. Item, I give unto my nephew, Michael Wentworth, Esq., of Woolley, ten pounds; and to my cousin, Richard Aske, Esq., ten pounds. Item, I give to each of my servants serving me at the time of my death, one half-year's wages. Item, I give, moreover, to my servant, Charles Harpour, the sum of twenty pounds over and above what is formerly given unto him in the number of my other servants. Item, I give unto Mr. Thomas Clapham, clerk, the sum of one hundred pounds. And lastly, I do make and ordain Sir Thomas Widdrington, Knight; Henry Arthington, Esq.; and Thomas Clapham, clerk, executors of this my last will and testament in trust, they being only to have allowance of their charges in and about the execution of this my will. And my will further is, that all the residue and surplusage of my personal estate (over and above what I have disposed of by this my last will), shall be equally divided and distributed by my said executors to and amongst my said grandchildren before mentioned, according to the number of them. In witness whereof, I have hereunto set my hand and seal, the twelfth day of March, one thousand, six hundred, forty and seven, in the three-and-twentieth year of King Charles. I desire this following may be added to this my last will, and be part thereof (which is this), I give unto my Aunt Brook a legacy of twenty pounds in money; and do desire my son, Sir Thomas Fairfax, to be good unto her, and to afford her as much out of Bilbrough as the tithes thereof, yearly, during her life, as I allowed unto her of late years.

(*Sic Indorsatur*) FER. FAIRFAX.

Memorandum, that the day and year first above mentioned, this was published and declared by the said Ferdinando Lord

Fairfax, to be his last will and testament, in the presence of —(these words in the third sheet, viz., "to such purposes and trusts as are hereafter expressed and appointed by this my will," being first interlined) witnesses hereof — Richard Hutton, Robert Carville, Tho. Radcliffe, and Henry Stokes.

Note that the will is his own handwriting.

His desire respecting his burial was carried out. He was interred, two days after his death, in the south choir of the church at Bolton Percy, beside his first wife.

The second Lord Fairfax was succeeded in the title by his eldest son, Sir Thomas, born at Denton, January 17th, 1611.

The biography of this nobleman, whose military exploits have attached a lasting historical importance to the name he bore, may be said to comprise the annals of the Civil War; and as the events in which he was personally engaged will be found unfolded in full detail in the third and fourth volumes of the Correspondence, we shall confine ourselves here to a rapid survey of the leading features of his life.

After finishing his school education, he went for a short time to St. John's College, Cambridge, to which in the latter part of his life he became a liberal benefactor. He showed quick talents for learning, and distinguished himself especially in the study of languages and antiquity; but the times were not favourable for such quiet pursuits, and the heroic examples he had before him in his family may be supposed to have strengthened his desire to reap honours in more stirring scenes than the cloisters of a university. His genius lay in a different direction, and

while he was yet little more than sixteen years of age he joined the army in the Low Countries, under the command of General Vere, Baron Tilbury, who was early struck by the intelligence and courage he exhibited. The interest Lord Vere took in him rapidly ripened into intimate friendship, and terminated in the marriage of the young soldier with the Lady Anne, daughter and co-heiress of his lordship. This marriage took place in 1637, on his return to England.

The Veres were zealous presbyterians, and his connections with the family inflamed that enthusiasm on the popular side, which he had inherited from his father. He already showed so much eagerness to distinguish himself in the cause, that when Charles made his first attempt to raise a guard for his person at York, young Fairfax was commissioned by his party to present a petition to the King, imploring his Majesty to abandon his design of raising forces, and to listen to the wishes of the Parliament. The King endeavoured to avoid the reception of this petition, but Fairfax was resolved at all hazards to discharge the duty which had been entrusted him, and following his Majesty on horseback to Heyworth Moor, he presented the petition on the pommel of his saddle, in the presence of nearly 100,000 people.

His military promotion was rapid. He commanded the Yorkshire troop of Redcaps in the first Scotch war, and was knighted in 1640. In 1642, upon the breaking out of hostilities between the King and the Parliament, his father having, as we have seen, been appointed General of the forces in the North, Sir Thomas received a commission under him as General of

the Horse.* From this point commenced that brilliant career of victories which for their duration, and the remarkable circumstances under which they were achieved, are hardly paralleled in history.

The first action in which he was concerned was at Bradford. The advantages were all on the side of the royalists, who held the high ground, and whose numbers were more than double those under the command of Fairfax; but after a sharp contest he compelled them to retire to Leeds. He followed them in a few days, but they abandoned the town, and fled to York. Still advancing upon them, he took his post at Tadcaster, within eight miles of York, and, his force being increased to 1000 men, he resolved to keep the pass at Wetherby, to secure the West Riding, upon which they depended for their supplies; and with that view Sir Thomas went to Wetherby with 300 foot and 40 horse. The royalists attempted to surprise them here, and at six o'clock in the morning suddenly descended upon them with 800 horse and foot, screened and protected by the surrounding woods. No alarm was given till they were at the

* The occasion which led to the appointment of Lord Fairfax, is thus related by his son (Sir Thomas) in the sequel to the "Short Memorials"—a manuscript which he left behind him (afterwards published by Brian Fairfax) in vindication of his conduct through the war. "My father, being yet at his house at Denton, where I there waited upon him, had notice from his friends that it was intended he should be sent for as a prisoner to York; he resolved not to stir from his own house, not being conscious to himself of anything to deserve imprisonment. The country suffering daily more and more, many came and entreated him to join with them in defence of themselves and country, which was extremely oppressed by those of the Array (who after had the name of Cavaliers) and he being also much importuned by those about him, seeing his neighbours in this distress, resolved to run the same hazard with them. Then did the Parliament grant a commission to him to be General of the Forces in the North; myself also having a commission under him to be General of the Horse." —*Short Memorial*, p. 96.

entrance to the town, the guards being all asleep in the houses; "for," says Sir Thomas, in relating this incident, "in the beginning of the war, men were as impatient of duty as they were ignorant of it." The account which Sir Thomas has left of this action shows in a few words the extraordinary suddenness of the peril and the triumph:—"I myself was only on horseback, and going out of the other end of the town to Tadcaster, where my father lay, when one came running after me, and told me the enemy was entering the town; I presently gallopped to the Court of Guard, where I found not above four men at their arms, and remember, two sergeants and two pikemen, who stood with me when Sir Thomas Graham, with about six or seven commanders more, charged us; and after a short but sharp encounter they retired, in which one Major Carr was slain; and by this time more of the guards got to their arms. I must confess I knew no strength but the powerful hand of God that got them this repulse."*

The royalists made another attempt after this; but the blowing up of a magazine, which they mistook for the roar of cannon, threw them into such consternation that they fled precipitately, Sir Thomas following them for several miles and taking many prisoners.

Then followed the engagement at Tadcaster, already noticed, when the Parliamentary forces retired to Selby. Some days after, passing by night several towns where the enemy lay, Sir Thomas threw himself into Bradford. From this place he advanced upon Leeds, and, after a fierce conflict, carried the town on the 23rd January, 1642-3. He next defeated a considerable force at

* A Short Memorial, p. 5.

Gisborough, after which Wakefield and Doncaster surrendered.

From hence Sir Thomas marched to Sherburne, intending to surprise the enemy there, who, seeing them coming, posted off a guard of horse at a pass near the town. Sir Thomas charged in person, and forced his way within the barricade, which was immediately shut in upon him. His horse was shot in the breast, but he fought his way into the town, when his horse fell dead under him. The alarm now spreading amongst theking's forces, Sir Thomas made good his retreat to Selby.

These harassing actions were not carried on without occasional reverses. At Bramham Moor and Seacroft Moor, the army of the Parliament suffered two defeats, which were followed by the seizure of Wakefield; on which occasion Sir Thomas took 1400 prisoners, 80 officers, and a great store of ammunition. The rout at Adderton Moor followed; and Lord Fairfax, withdrawing to Leeds, ordered his son to remain at Bradford, with 800 foot and 60 horse, and scarcely any ammunition. The Earl of Newcastle, with a powerful force, surrounded the town; and when the last barrel of powder was nearly exhausted, Sir Thomas resolved to cut his way through the enemy with the intention of getting off to Leeds. In this desperate enterprise he was accompanied by his wife. Day was breaking as he moved out of the town with a handful of men, who were nearly all slain, and several prisoners taken, amongst whom was his wife. "I saw this disaster," he tells us, "but could give no relief; for after I was got through, *I was in the enemy's rear alone*, those who

had charged through with me having gone on to Leeds, thinking I had done so too; but I was unwilling to leave my company, and stayed till I saw there was no more in my power to do, but to be taken prisoner with them. I then retired to Leeds."* Not many days afterwards the Earl of Newcastle sent back the lady in his own coach.

At Leeds he found the Council in a state of distraction, and preparing to retreat to Hull. At Selby he was shot in the wrist, which made the bridle drop from his hand; but, withdrawing from the crowd, his wound was bound, and after a dangerous passage he got safely to Hull.

These disasters rendered it necessary to increase the strength of the army, and the Scotch were solicited to send 20,000 men to their assistance, while Lord Fairfax raised new forces in the north. The royalists now suffered such severe defeats at Horncastle and Hull, that they abandoned all further attempts for the winter. Sir Thomas, however, was allowed little repose, being despatched in the coldest season of the year into Lincolnshire, where he signally defeated Lord Byron, following up his successes by taking several garrisons in Cheshire, and totally routed Colonel Bellasis, the governor of York, at Ferrybridge, on the 11th April, 1644. Sir Thomas was now master of the field in Yorkshire, and all that remained was to lay siege to York, where the Earl of Newcastle had shut himself up. Prince Rupert advanced to the relief of the town, and succeeded in entering it with an army of 20,000 men. The English and Scots were divided upon the policy to be

* A Short Memorial, p. 50.

adopted in this state of affairs. The English were for prosecuting the siege, the Scotch for retiring; the latter opinion prevailed. Prince Rupert, without consulting the Earl of Newcastle, rashly followed them, which led to the sanguinary battle of Marston Moor, the result of which completely annihilated the King's cause in the north. The Prince, after his defeat, fled into Lancashire, and the Earl of Newcastle, seeing that all was lost, set sail for Hamburgh. On the 15th July York surrendered, and the whole of the north was in the hands of the Parliament. Soon after, Sir Thomas on two occasions received wounds, which nearly proved fatal: at Helmesly Castle he was shot in the shoulder, and carried to York, where for some time his recovery was despaired of; and at Pomfret Castle he was struck by a cannon-ball, from the effects of which his death was hourly expected.

The important services he had thus rendered to the country, and the signal bravery he displayed on so many perilous emergencies, pointed him out as the fittest man in the kingdom to be placed at the head of the army. Accordingly the Earl of Essex was displaced, and Sir Thomas Fairfax, in the thirty-fourth year of his age, was appointed Generalissimo of the Forces. On the 21st January, 1644-5, he was ordered to repair to London, which he entered privately on the 18th February; and the next day being taken to the House of Commons, a panegyric upon his services was pronounced by the Speaker, and he received his commission. Oliver Cromwell was appointed at the same time Lieutenant-General.

The rapidity of his subsequent victories showed that

his military talents, courage, and energy were equal to the greatest occasions. In the April following he defeated his Majesty in person at Naseby, in Northamptonshire; the royalists losing 800 men, 4,500 prisoners, 8,000 stand of arms, 12 pieces of cannon, and 12 colours, in the space of two hours. In May, he invested Oxford—in June, Leicester, pressing on to Highworth garrison, in Wiltshire, which he took in three hours. On all these occasions the loss of the royalists was overwhelming. On the 3rd of July he relieved Taunton, in Somersetshire; on the 8th, took the garrison of Ilchester; on the 10th, defeated Lord Goring at Langport; and on the 23rd stormed Bridgewater, which he won in eleven hours. It was said of Lord Vere, his master in the art of war, that he was remarkable for doing great things with few men; and that Fairfax did great things with the loss of a few. The observation was abundantly justified throughout this brilliant series of operations. His own losses were slight, but those of the enemy disastrous.

Sherborne, in Dorsetshire, fell before him on the 15th of August; and on the 21st he invested Bristol, where Prince Rupert was governor, and took it by storm in eighteen hours. In September he took the Castle of Devizes, and in October the Castle of Tiverton. In the following January he raised the siege of Plymouth, and stormed Dartmouth, which he took in seven hours. Torrington, and most of the garrisoned places in Cornwall, were taken in February, including Launceston, Saltash, Liskeard, Mount Edgecumb, Fowey, St. Mawes Castle, commanding Falmouth; compelling the gallant Lord Hopton to disband his army, by which two thousand stand of arms and seventy colours fell into Fairfax's

hands, and the King lost a body of 4,500 horse. The subjugation of the whole of the west of England was finished in the same month by the acquisition of Dennis-Fort, of the town, castle, and fort of Barnstaple, and the opulent city of Exeter.

Nothing now remained to complete this extraordinary round of conquests except Oxford, which finally yielded to his irresistible arms on the 24th of June. Sir Thomas Fairfax, taking Wallingford Castle, in Berkshire, on his way, now marched to London, which he reached on the 12th of November.

Having thus swept the whole surface of the country, destroyed every vestige of a royal garrison, and driven the King into Scotland and the Prince of Wales into Jersey, from whence he fled to France, the kingdom was prostrate at his feet. In March, 1647, he succeeded to the title of Lord Fairfax, and, still retaining the command of the army, he might be said at that moment to be the chief governor of England.

An insurrection shortly afterwards breaking out in Kent, headed by the Earl of Warwick and Sir William Wallis, Lord Fairfax hastened thither, although he was suffering severely from an attack of gout, and obtained a decisive victory at Maidstone. The royalists of Essex subsequently took refuge in Colchester, upon which place the General advanced on the 13th of June, 1648. The siege proved obstinate and difficult, and it was not till the 28th of August that he succeeded in compelling the town to surrender, and "deliver upon mercy," a phrase by which it was understood that some were to suffer and some to go free.* Sir Charles Lucas and Sir

* Short Memorial, p. 122.

George Lisle, "being mere soldiers of fortune," were tried by court-martial, and executed. For this act, Lord Fairfax has been heavily censured; and, it is to be feared with too much justice. But the examination of the special circumstances of the case, to which we are enabled to bring some new and important evidence, must be reserved for its proper place in the course of these volumes.

Making a triumphant progress through the country, Lord Fairfax came to London in December. The events that followed are too well known to demand enumeration here. But it may be observed, that if Lord Fairfax had been inspired by the corrupt ambition which actuated the conduct of Cromwell and others, he had now the opportunity of absorbing in his own hands a power completely despotic over the destinies of the country. But he had no talents for intrigue, and the simplicity and honesty of his character were plainly exhibited in the decided part which he took when the King was put upon his trial. He felt himself justified, up to this point, in the course he had so victoriously pursued, but he shrunk from the ulterior proceedings which struck at the life of the Sovereign. He had never contemplated that necessity, and he refused to participate in the proceedings of Parliament, although his name was placed at the head of the commission for the trial of the King, and made use of in a variety of public documents connected with it, without his consent. By suffering the influence of his name to be thus employed, in violation of his own convictions, it cannot be denied that he betrayed a lamentable weakness of judgment, and a want of that boldness and decision

which so conspicuously distinguished his conduct in the field. He remained nominally in command of the army throughout the whole of these transactions, instead of at once resigning a command (as he did afterwards upon a less excuse) when he could no longer hold it with honour or advantage. His own apology for not relinquishing an authority which was thus ignominiously over-ridden, places the infirmity of his resolution in a still worse point of view. "I was much troubled," he observes, "to see things in this condition [alluding to the discontent of the army and the divisions in Parliament], and rather desired to be a sufferer than a commander; but before I laid down my commission, I thought fit to consult my friends, rather than gratify my private reason and desires, especially having received it from a public authority, which might justly expect to have notice before I laid it down. This was the cause of my continuing in the army longer than I would have done, which did preserve the Parliament for some time from those violences that it afterwards suffered from those disturbers." * To cast the blame of a great error of judgment upon the advice of friends, is the last resource of a man who feels that he has no substantial vindication to offer for his conduct.

Even Lady Fairfax, violent as were her Presbyterian prejudices, acted with more openness and courage on this occasion than her husband. Being seated in the place set apart for ladies on the occasion of the trial, when Lord Fairfax's name was called out as the first on the list of the judges, and, no answer being given, was called out again, she exclaimed in a loud voice, "He has

* A Short Memorial, p. 105.

more wit than to be here." Afterwards, when the clerk began to read the charge, "In the name of all the good people of England ——" she interrupted him by crying out, "No, nor half of them; it is false; where are they, or their consents? Oliver Cromwell is a traitor." The assembly was thrown into consternation, and Captain Axtell, who commanded the soldiers who were guarding the King, stood up and demanded, "What drab is that that disturbs the Court? Come down, or I will fetch you down;" and then turning to the soldiers, desired them to fire. When the soldiers directed their guns to the gallery, her ladyship was prevailed upon to retire.*

From this time Fairfax's influence declined, and although he continued in the command of the army after the death of the King, his power was gone. Cromwell left no means unemployed of weakening his position, and humiliating his feelings. Lord Fairfax struggled in vain against the superior intellect of his rival; and when it was proposed to take up arms to chastise the Scotch, who had broken into the kingdom in 1650, he declared that the design wounded his conscience, and seized upon that opportunity to resign his command. He resigned on the 12th June, and such was the avidity with which his resignation was accepted, that on the following day an act was passed to repeal the ordinance appointing him commander-in-chief, and another by which Oliver Cromwell was appointed in his stead. And thus the brilliant career of Fairfax in the service of the Parliament terminated in the bitterest mortification.

* Captain Axtell was executed at the Restoration.

Retiring at once from public life, he settled down upon his estate at Nun-Appleton in Yorkshire. The wars in Scotland and Ireland gave him no concern. He took no further interest in such affairs; but he appears to have meditated throughout the period of the Commonwealth the restoration of the sovereignty as the only means of redressing the evils which the civil war had brought upon the country.

Cromwell's conduct towards him in his retirement helped to deepen this resolution in his mind; for the Protector omitted no opportunity of heaping a sort of civil obloquy upon him. He gave him a place in some of the trivial commissions in the country, and left him there. The very notice he took of him was designed to publish to the world how little account be placed upon his talents or his services. The marriage of Lord Fairfax's only child, the Lady Mary, with the Duke of Buckingham furnished a fresh occasion for treating the secluded general with contempt. This marriage produced great offence at Whitehall, because Cromwell held that it ought not to have proceeded without special leave from the Court, as had been the custom under former sovereigns; in addition to which, Cromwell considered the Duke of Buckingham a proper match for one of his own daughters. An order in council was accordingly issued by which the "civil respects" of the Council were ordered to be signified to Lord Fairfax on this event; an indignity which was offered in a manner that could not be openly resented, but which deeply wounded his lordship's pride. He confessed to his friends how much he was galled by these insults, and said to one of them that "he had laid it up, and would remember it when there was occasion."

This marriage of his daughter gave him an additional interest in the restoration of the monarchy. It raised her to the first rank in the kingdom—a rank from which no advantages could be derived in the court of Cromwell; and it insured him an amnesty at the hands of the Prince.

In consequence of this marriage, and animated by a desire (not unnatural in the circumstances) that his whole property should descend through his ennobled daughter, Lord Fairfax resolved to cut off the entail of his estates, which had come down to him from his father and his grandfather. In reference to this proceeding a document of singular interest has been preserved by Charles Fairfax, as a postscript to the Analecta. It describes an interview which he had held with his father, the first Lord Fairfax, a short time before his death (1640), when that nobleman anticipated the event which took place many years afterwards, and in express words prophesied that his grandson would *destroy his house.* This curious paper is entitled:

MEMORANDUM BY CHARLES FAIRFAX, OF MENSTON.

HAVING made some few entries of the most remarkable of the family that have come to my view or certain knowledge, I am now, for a sad epilogue, enforced to insert the passages of a discourse betwixt my dear father, Thomas, first Lord Fairfax, and myself, which I dare not omit, by reason of a solemn engagement imposed upon me by him, with a quadruple charge, as 'tis hereafter specified, not many mouths before his death, the substance whereof, with some of the circumstances, was to this effect.

He walking in his great parlour at Denton, I only then

present, did seem much perplexed and troubled in his mind, but, after a few turns, broke out into these, or the like expressions :—

"Charles, I am thinking what will become of my family when I am gone; I have added a title to the heir-male of my house, and shall leave a competent estate to support it. Ferdinando will keep it, and leave it to his son; but such is *Tom's* * pride, led much by his wife, that he, not contented to live in our rank, will *destroy his house.*"

I then offered something in vindication of both, and told him what was not only my own thought, but the general hopes of all who knew them; yet notwithstanding, he solemnly charged me to make known what he told me, when I saw a probability that it might so fall out.

I then alleged my unfitness to be the publisher, and that it might be done by a person better qualified, and one not so near in relation to him. He added, (to that solemn injunction and command of a father,) a charge upon his blessing, (which I received with a sad heart and tears,) that I would do it.

He then, it seems, doubting my performance, superadded, as his last and great charge, that I should not fail, as I should answer him at the dreadful day of judgment, when I must give an account. This he *twice repeated.* Then, after some years, when I was informed that the *now* Lord Thomas had cut off the entail (made by his father and grandfather, ult. mens., 13 Carolus) for the settlement of the estate upon the heir-male, charging the land with a complete provision for a daughter or daughters; he, the *now* Lord Fairfax, being then at Denton, in the very same room where I received my charge, I faithfully acquainted him with the passages, as above said. He gave me my liberty, without words of impertinency or any appearance of distaste, and made me (*then*) *more* than verbal expressions of a kind acceptance.

Now, in testimony that this is (in substance) the very

* Thomas, the Parliamentary general.

truth, I being on the very brink of eternity,* and ready to embrace and shake hands with Death, do, in this instance, for and in discharge,

First, Of my solemn engagement to a father;

Second, Upon his blessing; and

Third, As I shall answer him at the great day of judgment; Attest in the presence of Almighty God, that I do not prevaricate, which may be the better believed, because it can have no other reflections upon me than to my disadvantage, there being scarce a possibility (not a least probability) that either land or title should ever descend or fall so low, my brother Henry having children, and divers grandchildren, who may be inheritable, at least to the title. Indeed, it may deprive me of the assistance and countenance of our chiefest support, whom it may exasperate.

This very argument I urged to my father, but it had no prevalency to procure my discharge.

Obedience, in truth, is better than sacrifice, not, as the world thinks, of my credit and esteem with my honourable chief, which I know I hereby sacrifice, but of the best oblation, I am able to tender. A very Pagan could say, "Fiat Justitia, ruat mundus," and I have learned to go upon a better principle.

And yet I have not wanted suggestions of discouragements, but dare not hearken to any discussion to the neglect of this duty. Ita testor. CHARLES FAIRFAX.

It has been my great care to manage this charge (incumbent upon me) with the least offence, and to those that object the discharge thereof will expose me to a snare inevitably to be avoided, my answer is this, "That the only wise God, to me universally good, that brought it upon me, knows a way (unknown to me) how it may be eschewed, and to him I submit." †

* He died 1673.

† There were three copies made of the "Analecta," but this curious revelation appears in only one of them.

Enfeebled as Lord Fairfax was by a complication of painful disorders, he was foremost in the declaration for the restoration of Charles II. The brief sovereignty of Richard Cromwell was even more mortifying to him than that of Oliver; for Oliver at least had served bravely in the field, and was a man of consummate abilities. As the time ripened for taking active measures, he did not hesitate to avow himself even in advance of Monk, who calling upon him on his way to London from Scotland, cautiously endeavoured to sound him, without committing himself. They were both silent men, and seem to have had doubts of each other. But Fairfax was the first to speak; and when they had mutually revealed their desires, no time was lost in putting them into execution.

A short but minute narrative of the part which Lord Fairfax took upon this occasion is contained in the following paper, in the hand-writing of Brian Fairfax, who, as it appears, had himself a share in these transactions:—

Declaring for General Monk, then in Scotland, at his earnest request, against Lambert's army, which pressed hard upon him as he lay at Coldstream, whither my Lord Fairfax sent me his cousin, Brian Fairfax, with a verbal answer to his letter, brought by Sir Thomas Clargis, that he would appear at the head of what forces he could raise in Yorkshire the 1st of January, 1659, which he did to so good effect, that in three days' time (the report of my Lord Fairfax opposing them being spread about Lambert's army) the Irish brigade, consisting of twelve hundred horse, deserted him, and sent to offer their service to my Lord Fairfax,* and several foot

* "My Lord Fairfax was then at Arthington with about one hundred men,

regiments at the same time declared for their old general, Fairfax; and in five days Lambert himself, with ten men, stole away from his own army.

Then General Monk marched into England, and offered the command of the army to my Lord Fairfax, but he refused it, only advised him (at his house at Appleton, where Monk gave him a visit) to consider there would be no peace in England till the nation was settled upon the old foundation of monarchy, and King Charles the Second restored; in the meantime, to call the old secluded members to Parliament which had now got into their places again. The General was more reserved than he needed to be upon this free discourse of my Lord Fairfax, being alone with him in his study, which gave my lord occasion to suspect him ever after, till he declared himself the spring following to be of the same mind, having received another letter at London from my Lord Fairfax (delivered by the same hand, B. F.), and accompanied with the address of all the gentlemen* of Yorkshire for a free Parliament, and that they would pay no taxes till it met.

King Charles himself did often acknowledge these services, not only by granting him a general pardon, but upon all occasions speaking kindly of him, and praising his courage, his modesty, his honesty, &c.

From other quarters he also received letters of acknowledgment and congratulation, of which the following, containing a grateful allusion to the services of his uncles in the Palatinate, are amongst the most important :—

when an officer of the brigade came and inquired for Mr. Brian Fairfax to bring him to my lord with this kind and seasonable offer of their assistance.—B. F."

* At their desire my lord writ a particular letter to General Monk.

FOR THE LORD FAIRFAX, FROM THE PRINCE ELECTOR PALATINE.

My Lord,

I send this bearer, the Captain of my Guards of Horse, (who hath the honour to be known to you), with letters of congratulation to the King and Parliament: and have also charged him to assure your lordship of my constant esteem and grateful remembrance of those many kindnesses I have received when I was last in England from your late noble father and yourself. He will also show you the relics your gallant uncles have left with us of their valour and affection for my family and country; all which are so great ties upon me, as that I have nothing more in my wishes than to find out a way how to express a due resentment; the reality whereof I shall ever be ready to prove, whenever you will put it to the trial, and much I am your lordship's

Obliged friend to serve you,

Charles Lodovico.

Heidelberg, this 6th of June, 1660.

A MONSIEUR MONSIEUR FAIRFAX, A LONDRES, EN ANGLETERRE.

A La Haÿe ce 5 Septembre, 1660.

Monsieur,

L'amitie que vous avéz monstre au Prince Don Emanuel nostre Pere, Et l'estime perticuliere que Monsieur le Prince de Portugal, mon mari, faisoit de vous, m'obligent a vous donner avis de la trist nouvelle que je viens de reçevoir de sa mort, arrivée en Espagne. Pour vous supplier de nous vouloir continuer l'honneur de vostre affection aux Princes, mes enfans, et a moÿ, et de nous vouloir donner des occasions de la recognnoistre par nous services, elles nous seront extremement cheres et a moÿ particulierment, estant comme je suis,

Monsieur,

Vostre tres humble et tres affectionnée Servante,

D. Anna, Princesse de Portugal.

We now resume Brian Fairfax's narrative :—

In the year 1660, he was one of the deputies of that Parliament, or Convention, sent to King Charles, then at the Hague (where B. F. went with him), to invite his Majesty over into England, where he was kindly received, his Majesty sending my Lord Gerard to compliment him particularly, and to conduct him to the court, where he kissed his Majesty's hand, and was admitted to some private discourse with his Majesty, as likewise Mr. Edward Bowles, being presented by the Duke of Ormond.

After his Majesty's restoration and coronation, my Lord Fairfax retired from London to his house at Nun-Appleton, near York, a house which he built a few years before, and where he peaceably spent the remainder of his life, bearing the pains of the gout and stone with a courage and patience equal to that he had shown in the unhappy war, the wounds and fatigues whereof brought those diseases upon him.

Of that war he wrote a short account, which he calls a memorial of his actions in the northern war, from the year 1642 to 1644; and something in his own vindication after he was General. The original is in Denton library.

The last seven years of his life, that disease which he was most subject to, the gout, occasioned or increased by the heats and colds, and loss of blood, and the many wounds he got in the war, this disease took from him the use of his legs, and confined him to a chair, wherein he sate like an old Roman, his manly countenance striking awe and reverence into all that beheld him, and yet mixed with so much modesty and meekness, as no figure of a mortal man ever represented more. Most of his time did he spend in religious duties, and much of the rest in reading good books, which he was qualified to do, in all modern languages, as appears by those he hath writ and translated; several volumes of his own handwriting are now in the study at Denton, with my brother Henry Lord Fairfax.

The following letter, unaddressed, dated in 1669, two years before his death, and written in the midst of his infirmities, is the last record of his own hand, of a private nature, to be found amongst his papers :—

LETTER OF THOMAS, THIRD BARON FAIRFAX, THE PARLIAMENTARY GENERAL.

MADAM,

I BEG your pardon for this slow return of my humble thanks for your ladyship's many favours. Nothing but a long confinement to my bed, with frequent pains, and much lameness in my hands, could have made me guilty of such an incivility, though now I can but rather assure your ladyship of my grateful remembrance than express the obligation I have to you for them. If any thing make my retiredness and painful life unpleasant to me, it is the uselessness I am to my friends. In nothing else I have cause to complain whilst it please God to enable me to undergo this infirm condition with a patient submission to his will, which hitherto hath been my support and hope. If he will yet increase the one, he will fortify me more with the other, that I may never think him a hard master, who hath led me through a life of so much difficulty, hazard, and pain till this present, not without some support and comfort to bear me up in it; and it is none of my least felicity to find myself to have still a place in your ladyship's memory, which I must ever prize very highly, but have none other way to acknowledge it but my hasty wishes. In all your affairs you may meet with nothing but satisfaction and contentment, especially in your concern for my Lord of Lincoln, whom I wish all good success to, with my humble service; and not to be further tedious, also subscribe myself,

Madam,

Your most affectionate and humble servant,

FAIRFAX.

March 23, 1669.

I do not forget often to inquire of my Lady Clare's and my sister Worsnam's health, to whom I present my humble and affectionate service.

The remainder of the narrative closes the account of Lord Fairfax's life :—

He died of a short sickness, a fever, at Appleton, November 2nd, 1671. The last morning of his life he called for a bible, saying his eyes grew dim; he read the 42nd Psalm—"As the hart panteth after the water-brooks," &c., and perceiving his end approaching, having some years before settled the best part of his estate, viz., the manors of Denton, Askwith, Righton, Bilbrough, with other rents upon his cousin Henry Fairfax, to whom the title was to go, and entailed the same upon the heirs-male of our grandfather Thomas, the first Lord Fairfax of Denton; the rest of his estate, viz., Appleton and Bolton, to his daughter, the Duchess of Buckingham, if she had issue male, if not, to the heirs of Thomas Lord Fairfax, the elder. And so he quietly yielded up his soul to God, in the 60th year of his age, and was buried at Bilbrough, near York, where a decent monument * is erected to his memory. His lady was there buried also.

Lord Fairfax is described as having had a tall and commanding figure, with a character of face which was gloomy in repose, but capable of vivid expression when lighted up by sudden emotion. He was of a retreating disposition, and generally very silent, which might have been attributed to a slight stammer in his speech,—a

* The Memory of y^e^ Just
is Blessed.
Ἐως τοῦ αἰῶνος το μνημόσυνον αὐτοῦ εἰς Εὐλογίαν.
1 *Mac.* iii. 7.

defect that spoiled all his attempts at oratory. The reserve and modesty of his bearing were the more remarkable in a man whose decision and courage were unquestionabe. At the Council-table he bore himself with a humility that almost amounted to diffidence, and spoke little; but when his resolution was taken (often in direct opposition to the opinions of the Council), no appeal could move him from his purpose. In the field, the great qualities which raised him so rapidly to eminence showed themselves in a sort of ecstacy. He was as reckless of his person in battle, as he was of his own interests in political affairs. He appeared like a man inspired in the midst of his troops, and was so elevated and absorbed by the movements around him, that, at such moments, his officers rarely ventured to speak to him. His genius revelled in these scenes. But it failed quite as conspicuously in the business of statesmanship. Up to the close of the war, his military talents secured him the loftiest consideration; but from the time when it became necessary to reconstruct the government, and repair the evils of that long and unnatural hostility, he suddenly fell into obscurity, from his total unfitness for the wants of the times.

In religion Lord Fairfax was a Presbyterian,—a profession into which he was drawn by the influence of his wife. He was a lover of learning, and the institutions sacred to its cultivation. At Oxford he repressed, as far as he could, the outrages of the soldiery, and used all the means in his power to preserve the Bodleian library from pillage. It is highly to his honour, that when the city was in his possession it suffered less than

it did from the hands of the royalists. He was himself a contributor to the Polyglott and other larger works, and was so zealous a patron of men of letters, that he allowed a considerable pension to Roger Dodsworth, who had the chief hand in the "Monasticon." He was a collector of engraved portraits of warriors, and also of coins and medals; and presented to the Bodleian library twenty-nine ancient MSS., and amongst them a beautiful MS. of Gower's "Confessio Amantis." Numerous compositions of his own were preserved in the library at Denton; and also in Mr. Thoresby's Museum, several religious pieces—a Poem on Solitude, Notes of Sermons by himself, his wife, and daughter, and a treatise on the Shortness of Life. Lord Orford includes him amongst his royal and noble authors, but cannot concede that honour to him without a sneer at some verses which he wrote on the horse (his own gift to the King) ridden by Charles the Second to his coronation. Fortunately, the reputation of Lord Fairfax stands upon higher ground than a snatch of silly doggrel, and will outlive the small wit spattered upon his memory from the filagree chambers of Strawberry Hill.

The only production of Lord Fairfax's which has been published is that entitled "A Short Memorial of Thomas Lord Fairfax," in which he gives an account of his share in the transactions of the period. These papers were not intended for publication, but were left behind him in the library at Denton for the satisfaction of his family; and afterwards given to the world by his cousin Mr. Brian Fairfax. In whatever point of view we regard this work, it cannot be said to exhibit his lordship's talents to advantage. He appears to have

had as indifferent skill in writing as in speaking. The manner of the Memorial is crude and lumbering; the matter slight and superficial. It contains nothing more than notes of the skirmishes, battles, and sieges in which he was engaged, imperfectly sketched, rather than described; and presenting no large views of military strategy, no indications of a comprehensive design, no hint of the contemplation of any results beyond the fugitive victory of the hour. The brief vindication of his own conduct with which he closes his memoranda, is similarly deficient, weak, and unsatisfactory. But the Memorial discloses two circumstances of some importance to a full estimation of his character. He distinctly disclaims all participation in the trial of the King, and declares that he regarded it with abhorrence. Mr. Brian Fairfax tells us also in the dedication, that he "utterly abhorred and lamented the death of the King to his dying day; and never mentioned it but with tears in his eyes." * From another passage we gather that his resignation of the command of the army was not altogether voluntary, but that he was in some sort compelled to it by those from whom he derived

* Upon this point there is no doubt. It is conceded on all sides. In the funeral sermon, which was preached at his interment by the Rev. Mr. Stretton, his domestic chaplain, we find the following explicit statement. "As for that horrible act of theirs in murthering of their sovereign he ever detested it, and used all the means that possibly he could for the preventing of it. I have heard him say so much about it which I have not time now to relate as would convince any impartial man in the world that, considering circumstances he was under, he was not deficient in anything that lay in his power for the hindering of it, and the misapprehension and censures that some had and passed upon him for it, made the day of judgment more desirable to him, when God will clear up his innocence as the sun and his righteousness as the noonday!"

his authority. The passage is not very clear; but it will hardly bear any other interpretation.

"All this I saw with grief and sorrow [the declarations of war against Scotland for having assisted the King, and the opening of relations between the Commonwealth and foreign governments], and though I had as much the love of the army as ever, and was with great importunity solicited by that remaining Parliament and soldiers to continue my command; and though I might, so long as I acted their designs, have attained to what height of power, and other advantages I pleased; yet by the mercies and goodness of God, I did, so long as I continued in the army, oppose all those ways in their councils, and when I could do no more, I then declined their action; *though I did not resign my commission which I had from the Parliament, till the remaining part of it took it from me.*"*

From these ravelled sentences it is not easy to extract a distinct meaning, since in one place he states that the "remaining parliament" solicited him to continue his command, and in another that the "remaining part" of the Parliament took it from him. But the statement, clouded by these obscurities, must stand for whatever it is worth, and be left to make its own impression.

The sequel of the history of the Duchess of Buckingham, the only child left by Lord Fairfax, was miserable enough. The wretchedness of her life, during the profligate career of her husband at the court of Charles II., was hardly more bitter and hard of endurance than the misery to which he consigned her on an impoverished estate at his death. He died overwhelmed with debts, and the Duchess was ultimately driven to the last

* A Short Memorial, page 127.

extremity to sustain herself. In a letter to her cousin, the fifth Lord Fairfax, she observes, "I need not tell your lordship of the great difficulties I have met withall by the violent proceedings at law of my Lord Duke's creditors, with whom I was at last forced to come to an agreement, and to pass away my estate at Nun-Appleton in trust for their benefit, upon consideration of five-and-twenty hundred pounds reserved to be paid me (for payment of my debts) upon the sale of the estate." In reference to these measures, she begs permission to inspect certain deeds in his lordship's possession, to which she again refers in a subsequent letter, where, speaking of her pecuniary embarrassments, she says,— "debts which are very burthensome and very grievous to me; and 'twas that made me so earnestly entreat your lordship's friendship to suffer these deeds to be produced, that I might be thereby eased from the clamours of my creditors." The estate was literally absorbed by fines and recoveries. The poor Duchess was released from these afflictions (which so signally fulfilled the prophecy of the first Lord Fairfax) on the 20th of October, 1704, when she died, in the 66th year of her age, near St. James's, Westminster.

The Mr. Brian Fairfax, whose narrative of the last days of his distinguished relative we have just given, was the second son of the Rev. Henry Fairfax, rector of Bolton Percy, to whom we have already referred. He appears to have been a man of a very amiable disposition, and to have largely enjoyed the confidence of his cousin, the Parliamentary General. Like most of the other members of his family, he, too, cultivated poetry, but with more successful results. We find the

following specimens, in his own handwriting, amongst the Fairfax MSS.

In one of my usual morning walks in St. James's Park, nescio quid meditans nugarum, I had in my eye the new house built by John Sheffield, the new Duke of Buckingham, a Belvidere, with a pleasant prospect, and there was writ upon it, "Sic siti lætantur Lares," which occasioned these verses,

What happy creatures Lares are
That live on vistas and fresh air;
Dine with Duke Humphrey every day,
With fairies dance the night away.
Ceres with her sheafs of corn
Sheffield-house would best adorn,
And, if Bacchus grapes do bring,
The merry Lares then may sing.
Sic siti, &c.

B. F.

EGO SORTE MEA CONTENTUS.

Sweet Content, where dost thou dwell?
In prince's court, or hermit's cell?
In the country, or the town?
Dost thou wear a sword or gown?
Art thou rich, or art thou poor?
This I know, thou need'st no more.
Stands a porter at thy gate,
Where the men of business wait?
Who from thy levee date the day,
Not from Aurora's golden ray.

I have sought thee far and near;
Thou like my shadow dost appear:
Why so cruel, so unkind,
Still before me or behind?

Sweet Content, O dwell with me,
A virtuous wife shall welcome thee;
Not in a palace or a cell,
Where neither wealth nor want doth dwell.
Three olive plants, from Heaven sent,
(As guardian angels innocent)
Support our cruse; 'tis open ever,
Though seldom full, tis empty never.
A conscience pure 's our constant guest,
This is our continual feast.

B. F. 1682.

EPITAPH ON THOMAS LORD FAIRFAX.

O Mighty Death! what mortal can
Resist thy force, when this great man
Lies conquer'd and subdued by thee,
His first, and last, victorious enemy.
Courage itself thou seem'st to outbrave,
By building trophies on his grave;
Thou ne'er durst meet him in the field,
Surpris'd in his bed thou mad'st him yield.
But stay awhile, and thou shalt see
He 'll rise again and conquer thee!
And triumph too, when he shall sing
O Death! where is thy sting?
O Grave! where is thy victory?

B. F.

THE VOCAL OAK.

UPON CUTTING DOWN THE WOODS AT NUN-APPLETON.

Facit indignatio Versus.

Sprung from an acorn of Dodona's grove,
Brought by an eagle, (sacred both to Jove),
Hither, long since, I came, and now relate
What I have learnt out of the Book of Fate.

Sacred to Jove we oaks were ever thought:
Under our shade, when learned Druids taught,
Then it was sacrilege to cut a tree;
To wound an oak,—to offend a deity.
The Vestal Virgins here, who long did dwell,
How many pretty stories would they tell;
But I kept council; ne'er did they desire
To cut more wood than fed the Sacred Fire.
I then the mark of I. H. S. did bear,
Cut by a Virgin's hand, a character
Which, if old Bards and Druids had but seen,
One Misletoe had not adored been.
Sometimes a bough they broke to fan the flies;
But never more than when a sister dies;
To bury or enshrine the pretty saint;
Or make a staff when they as Pilgrims went.
The noble Lord* to whom I lately paid,
In winter shelter, and in summer shade,
As my just tribute;—he did me defend
From the injurious hand of foe or friend.
In vain the subtle axe of him did crave
It might a shaft from the next thicket have,
To cut us down: he kept us still to grace
The country, and adorn this pleasant place:
Where twenty years' retirement pleased him more
Than all the trophies he had won before.
Oft would he bring a book, and sit him down,
Less glorious in arms than in his gown;
All ages past, and persons that are gone,
Were not, to me who saw them, better known.
He read diviner things than Druids knew,
Such mysteries were then revealed to few;
For his chief study was God's sacred law,
And all his life did comments on it draw.

* Thomas Lord Fairfax.

As Israel's king at last lay by his sword,
And took the sacred harp to praise his Lord,
Like some religious hermit now he seem'd,
By all the world (least by himself) esteem'd.
Fain would I heard him tell what he had done,—
How many battles fought, as many won;
When all the fields and villages around
Heard his victorious drums and trumpets sound;
When all these woods did echo forth his praise,
And wish'd, t' adorn his head, we 'd all been bays.
If all his sword then did his pen would tell,
Cæsar alone had fought and writ so well.
But he was silent, and would only say,
He wish'd his victories fewer every day,
And what in youthful heat he lately did
Desired from future ages might be hid;
Repentance now these bloody wounds had heal'd,
God and the King have both the pardon seal'd.
Thus did he take his last farewell of me,
To him obeisance made each neighbour tree;
And at his funeral pile desired to burn,
And consecrate their ashes in his urn.
How innocent, how harmless, do appear
The toys at Court, which cause such mischief here?
Ribbons and lace seem no such costly thing,
As to supply them should undo a King.
How many stately oaks must buy a fan?
What lands a dish from China or Japan?
How many acres of this flowery mead
Must buy a flow'red satin for a bed?
What manors mortgaged to supply a feast—
What trees and houses eaten by a guest?
Till all 's reduced at all to what we see,
Painted in landscapes and in tapestry.
So strong 's the hand of luxury and pride,
What heart of oak can its fierce blow abide?

So keen 's the axe that 's managed by that hand,
Oaks are mown down like grass at its command.

THE OAK'S PETITION.

For the Oak 's sake that saved the King,
That home from exile him did bring,
That beat the Dutch so oft in war,
That brings you pearl and gold from far,
Points and bagatelles from France,
Parrots that prate, and apes that dance,
Toys from China and Japan,
Now deny me, if you can.

Mr. Brian Fairfax also translated the life of that famous French Huguenot, M. de Plessis, of whom he justly observes, that "his services to the Crown of France were such as the very name of Huguenot by way of reproach ought to have been abolished for his sake." This translation, written on large folio, in a clear and beautiful hand, and bound in white vellum, is preserved amongst the Fairfax papers, and may, perhaps, be one day given to the world.

Lord Fairfax, having no male heir, was succeeded in the title by his cousin Henry (son of the Rev. Henry Fairfax, of Bolton Percy), who was elected member of Parliament for Yorkshire in 1678, and, dying in 1688, was succeeded by his eldest son, Thomas, fifth Lord Fairfax, who was elected in the same year to the vacancy in the representation of the county. This nobleman took an active part in the Revolution; was appointed lieutenant-colonel of the third regiment of Horse Guards in December, 1689; and in the following January was promoted to the command of the third, or

King's own regiment of dragoons. In 1701 he attained the rank of brigadier-general, but lost his seat in Parliament at the time of the Union in 1707, when a new writ was issued for creating him a peer of Scotland. He married Catherine, only child of Thomas Lord Culpepper, Baron of Thoresway, in the county of Lincoln, by whom he obtained Leeds Castle, in Kent, and lands of great extent and value in America. He died in January, 1710. His son Thomas, sixth Lord Fairfax, succeeded to the title.

The property inherited by this nobleman, who had the misfortune to lose his father at an early age, was more considerable than had been possessed by any of his predecessors. It amounted to a princely fortune, including Denton and other estates in Yorkshire, which descended to him from his father, and several manors and estates in Kent and the Isle of Wight, and that immense tract of country comprised within the boundaries of the Potowmac and Rappahennoe rivers in Virginia, called the Northern Neck, containing five millions seven hundred thousand acres, which he derived from his mother.

Upon the decease of his father, he and his brothers, Henry and Robert, and four sisters, one of whom, Frances, was afterwards married to Denny Martin, Esq., of Loose, in Kent, were placed under the guardianship of their mother and grandmother, the Dowagers Fairfax and Culpepper, the latter of whom was a Princess of the House of Hesse Cassel.*

* For these particulars, and the subsequent account of the sixth Lord Fairfax, we are indebted to Dr. Burnaby's "Travels in the Middle Settlements of North America in the years 1759-60."

Lord Fairfax was educated at Oxford, where he resided for several years, and became distinguished for his literary taste and accomplishments.* He afterwards took a commission in the Blues. During his residence at the University his guardians compelled him, under a menace of depriving him of the Northern Neck, to cut off the entail of Denton Hall and the Yorkshire estates, for the purpose of redeeming the property of the late Lord Culpepper, which was heavily encumbered. He consented to this measure with deep reluctance, and entertained towards the ladies with whom it originated the bitterest resentment. Denton and the Yorkshire estates had been in the possession of the Fairfax family for five or six centuries, and he felt that in parting with them he compromised the independence of his house; and his mortification was heightened by the perfidy of the steward who was entrusted with the management of the transaction, and who sold the whole property for a less sum than was produced by the timber cut down to discharge the purchase-money, before the day of payment arrived.

As soon as he had entered into possession of his Virginian estates, and ascertained their value and situation, he discovered that they had been grossly mismanaged by the agent, who had hitherto acted for Lady Fairfax, and who had enriched himself at her expense. He immediately dismissed him from his employment, and appointed his cousin, William Fairfax, who held a place of considerable trust under the Government in New England, to take charge of his estates. Mr. William

* Dr. Burnaby says that he was one of the contributors to the "Spectator;" but his contributions have never been traced.

Fairfax removed with his family to the scene of his new labours; and by adopting a moderate quit rent, and a careful system of control, the vacant lands were rapidly let, and a considerable and permanent income was speedily realised. Tempted by the prosperous issues of this arrangement, Lord Fairfax visited his vast possessions on the American continent in 1739; and after spending a year with his cousin, became so captivated by the climate and fertility of the country, that he resolved to settle there, after he should have paid a final visit to England to wind up his family affairs, and prosecute a suit he had with the Crown on account of a tract of land; which suit was determined in his favour. During this visit to England, he was present at the marriage of his brother Robert, and showed his distate for the frigid and starched habits of the old country by complaining of the fatigue he underwent on that occasion, sitting up for a month together full dressed and in form to receive ceremonial visits. His lordship's notions on these matters admirably fitted him for the bold solitudes and open life of the new world; while the revolutionary principles in which he had been educated gave a still keener zest to his enjoyment of the practical liberty that lay before him. Perhaps, too, his wounded pride had something to do with his choice of location. The house of Fairfax had crumbled to a name; its ancestral halls had passed out of the hands of the last inheritor of the title; and nothing remained to him in this country but the barren priviieges of his station, which only served to render his position painful and humiliating. His resolution to leave England was influenced probably also by other feelings, to which we shall have occasion presently to allude.

He returned to America in 1746 or 1747, and lived for several years in the house of his relative, on the banks of the Potowmac, occupying his time in field sports and the superintendence of his farms and plantations. He afterwards removed to a tract of land on the western side of the Blue Ridge, or Apalachian mountains, where he built a small house, called Greenway Court, and laid out one of the most luxurious farms, consisting of arable and grazing lands and meadows, two or three miles in extent, that had ever been seen in that country. Here he resided for the remainder of his life, practising on a large scale the bounteous hospitalities of an English country gentleman, and diffusing the benefits of his superfluities over the whole surface of the country. His manners were plain and unaffected; and although costly suits were sent out to him every year from London, he never put them on, preferring that rougher costume which better corresponded with his out-of-door habits. But he did not limit his beneficial influence to the good he was enabled to do as the proprietor of so extensive a district. He was lord lieutenant and custos rotulorum of Frederic County, presided at the county courts, keeping open table during the session, and acted as surveyor and overseer of the public roads. Hunting was his chief pleasure, and in pursuit of it he frequently traversed distant parts of the country, entertaining at the inn or ordinary where he took up his residence all the gentlemen who attended him. He was so universally beloved for his liberality, and for the constant efforts he made to improve the condition of the people, that during the war which soon afterwards broke out between Great

Britain and America, he was treated with marked respect by both parties.

But the Indians were not as tolerant of his good qualities as the English and the Americans. General Braddock's defeat, in 1755, stimulated the Indians, who were in the French interest, to commit the most lawless and sanguinary outrages upon our back settlements. Wherever they moved they brought burnings and massacres on their track. Every planter who enjoyed the advantages of an influential position was marked out for murder; and as Lord Fairfax was distinguished above all others by wealth and power, his scalp became an object of peculiar interest to these merciless savages. They made daily inroads in the neighbourhood of Greenway Court, and no less than three thousand lives were sacrificed in the conflicts that ensued. The most serious apprehensions were entertained for the life of Lord Fairfax; and his friends and the gentry of the colony urgently importuned him to retire for safety to the inner settlements. A few years before this time, his nephew, Mr. Thomas Martin, second son of his sister Frances, had gone out to reside with him, and now bore the commission of Colonel in the militia. To this gentleman he submitted the question as to whether they should face the danger or forsake their settlement. "I myself," he said, "am an old man, and it is of little importance whether I fall by the tomahawk of an Indian, or by disease and old age; but you are young, and, it is to be hoped, have many years before you. I will therefore submit it to your decision whether we shall remain where we are, taking every precaution against the outrages of the enemy, or abandon our

habitation, and retire within the mountains. If we determine to remain, it is possible, notwithstanding our utmost care and vigilance, that we may both fall victims; if we retire, the whole district will immediately break up, and all the trouble and solicitude which I have undergone to settle this fine country will be frustrated, and the occasion, perhaps, irrecoverably lost." Colonel Martin, after some deliberation, determined to remain. Fortunately the government adopted decisive measures for the protection of our settlements against the depredators; and the perils which these valiant men had thus resolved to encounter gradually disappeared.

A man, leading a life so sequestered and so opposed in its daily employments to the usages of the society in which Lord Fairfax had been educated, may be supposed to have acquired some singularities, for which, in ordinary cases, this sort of wild retirement might suffice as an explanation and excuse. The chief singularity noticed in the behaviour of Lord Fairfax was his conduct to women. He is said to have been reserved, restrained, and embarrassed in their company. This was perhaps natural enough where the occasions of enjoying it were so rare. But in him it was to be traced to remoter and deeper causes. Early in life he had formed a passionate attachment for a lady of rank; was duly accepted; and the marriage preparations had gone so far that he had provided carriages, dresses, and servants for the occasion. But before the contract was sealed a more flattering offer shook the constancy of the lady; there was little time to waver, so little that it is difficult to understand how she could have wavered at all; yet short as the interval was it blighted the

hopes of Lord Fairfax. The lady, unable to resist the temptation that solicited her pride to commit a flagrant wrong against her own honour, preferred the higher dignity of being a duchess to the inferior station of baroness. Her heartless conduct made a lasting impression on the mind of Lord Fairfax. It was a wrong of that kind which all men resent according to their natures—in violence, or dumb suffering, or haughty revenge. Lord Fairfax fled from the whole sex, and showed his sorrowful sense of the injury he had received from one woman, by the uneasiness which he ever after betrayed in the society of others.

Sometimes, however, it seems he was capable of controlling this feeling, which never wrought itself into a morbid sensibility; and on these occasions he displayed that refinement of manner and ease of breeding which he had acquired in the circles of Leeds Castle, at the university, and in the army. "I was present," says Dr. Burnaby, "when, upon a visit of ceremony to Lieutenant-General Tanquier, who had lately arrived from England, Lord Fairfax was introduced to his lady, and nothing of the kind appeared to justify the observation. He remained at the palace three or four days, and during that time his behaviour was courteous, polite, and becoming a man of fashion."

Lord Fairfax discharged the duties upon which he had entered in his Virginian estates with unwearied zeal and extraordinary success. The Northern Neck was better cultivated, better peopled, and in all respects exhibited a more flourishing surface under his management than any other section of that part of America; and having lived to see his efforts for the improvement

of these distant possessions crowned with prosperity, he died universally lamented about the beginning of the year 1782 in the ninety-second year of his age.

The barony now devolved on his only surviving brother Robert, seventh Lord Fairfax, to whom he had already assigned Leeds Castle and his other English estates. He married twice, but, dying without issue, bequeathed Leeds Castle and its appendages to the Rev. Denny Martin, who subsequently took the name of Fairfax.

Upon the death of Robert, Lord Fairfax, his nephew, Brian Fairfax, who lived in Virginia, and had entered into holy orders, came to England to prosecute his claim to the peerage. This gentleman was the eldest son by a second marriage of Mr. William Fairfax, who had so long acted in the capacity of manager of the estates of the Northern Neck.

Mr. William Fairfax, by his first marriage, with the daughter of Major Walker, had two sons, George-William and Thomas, and two daughters. His first wife, upon her deathbed, requested him, after her decease, to marry Miss Deborah Clarke, her most intimate friend, under a conviction that she would be a kind and faithful guardian to her children. Mr. Fairfax complied with this desire, and by his second marriage had two sons, Brian and William, and a daughter. There were, consequently, two elder brothers between Mr. Brian Fairfax and the peerage.

George-William, the eldest, had been sent at an early age to England for his education, and on his return to Virginia married the daughter of Colonel Cary, of Hampton. Some estates in Yorkshire having devolved

to him in 1773, he came to England to take possession of them. In the meanwhile, the American war broke out, and his Virginian property being sequestered, he received no further remittances from that quarter of the world. Under these reduced circumstances, he laid down his carriage, diminished his expenditure, and retired to a private house at Bath, where he died in 1787. Having no issue, he bequeathed his estates in Virginia to the second son of the Rev. Brian Fairfax.

Thomas, the second son of Mr. William Fairfax, entered the Navy, and was killed in action in the East Indies in June 1746. By the decease of these gentlemen, the Rev. Brian Fairfax became next heir to the title.

That he experienced difficulties in the establishment of his claim, may be seen from the following letter, written during his visit to this country, and containing some interesting allusions to the members of his family:

LORD FAIRFAX OF CAMERON TO THE EARL OF BUCHAN.

My Lord,

I received your favour of the 10th of October in due time, and delayed writing again from time to time, notwithstanding the encouragement your lordship has been pleased to give me, in hopes of being able to give an account of the termination of the business which Mr. Erskine has kindly undertaken. He now thinks it better to have it referred to the House of Lords, that it may be entered on record, because, as he rightly observes, thirty or forty years hence my sons may not be able so well to establish my right as I can now, when the witnesses are living, especially as he says I cannot do it now by voting for one of the sixteen peers,

or any other act by which it may be perpetuated, the mere introduction to Court being insufficient; so that I have waited longer, until the meeting of Parliament. Mr. Chalmers has written for a copy of the patent, and Mr. Erskine has also, I believe, to my Lord Hawke, who is one of my brother's executors, in hopes of getting the papers of the Towleston estate, which having been entailed upon a Lord Fairfax, my great-grandfather Henry, and his son Henry—my brother dying in possession of that estate is a proof of his descent from him. I can also have the testimony of three or four who personally knew my father, my brother, and myself. Yesterday, by the help of the Bishop of London, I found Captain Mackenzie, whom I formerly knew in Virginia, as well as I did his father; and what is very extraordinary, he knew me as soon as I entered the room, and before I declared myself, though we had not seen each other for forty years, within two months. These, with General Washington's second testimony of introduction, will be sufficient to establish my claim without a doubt.*

And now, my good lord, you will see how I avail myself of your friendly offer of a correspondence to trouble you with my family concerns. One thing more and I have done. I am afraid I may have said something in my last implying a censure on my good friend, Lord Fairfax, of Virginia, which I did not mean to do, because I loved him as a father, as well as respected him as head of the family. He had a good reason for not leaving me what I believe he once intended; and that was this—a little before he died, and before he made his last will, there was the highest probability that the

* Anne, the eldest daughter of Mr. William Fairfax by his first marriage, and half-sister to the writer of this letter, was married to Mr. Lawrence Washington, eldest brother to General Washington. An infant daughter was the only issue of this marriage, and she died at seven years of age. Upon her decease, her father also being dead, General Washington succeeded to Mount Vernon, and other Virginian estates, the property of that branch of the family. The widow of Mr. Lawrence Washington afterwards married George Lee, Esq., the head of a family still numerous in Virginia.

proprietary of the Northern Neck would be taken from his nephew, though it was not yet done with respect to himself out of compliment to his old age; and this was a good reason for his leaving to Dr. Fairfax all that he could; and I could mention another reason in his favour. Yet he did keep his word with me, for by a codicil he left me an equal part with his nephews in all his slaves, and to three of my children the succession of three annuities, which he had left to the three Miss Martins at Leeds Castle, of 100*l.* each, out of the estate left to Dr. Fairfax. He had before given me one of his small manors, joining to the estate my father left me, consisting of twelve acres, it being nearly equal to what he had given to his two younger nephews.

I would make one observation with respect to the Walton family. It appears that Charles, Lord Viscount Emelay, left a daughter and heir general, who married to the Lord Widdrington in 1679, so that the heads of two houses, Walton and Denton, left an heiress about the same time; for General Fairfax left an heiress who married the Duke of Buckingham. This is remarkable, especially if we take into consideration that the heads of these two houses in the next century, at or about the same time, left each of them an estate to their respective nephews, who took upon them the name of Fairfax.

I don't find that Mr. Fairfax, of Gallìng Castle, has sold that place. He has given me an invitation, and I have promised to visit him there, provided I should return to York before he moves into it for the winter. If this should be the case, I shall have an opportunity of seeing what your lordship recommends, and shall take a pleasure in viewing an ancient seat of some of the family.

You are pleased to observe, and very justly, that sufferings tend to perfect us in virtue—they have that tendency, however slow they may be in producing effect. I have the happiness to say with the Psalmist, in respect of the Lord's dealings towards me, "I know that of very faithfulness he hath caused me to be troubled."

I cannot decline the honour, as well as satisfaction, which your lordship affords me in a correspondence; all I fear is, that in matters interesting or amusing, I may be still more unworthy of it. Be pleased to present my respectful compliments to her ladyship, and accept of my grateful regards for your notice of me, as well for the civilities of all the family here. I took leave of the young couple last night, intending to have written yesterday, but was prevented, and that before I knew of their speedy departure, which was intended to be this morning. Whether this letter may arrive before them I know not.

I am,
Your lordship's most obedient servant
and kinsman,

FAIRFAX.*

Bedford-street, Covent Garden,
November 17th, 1798.

The claim to the barony was determined in favour of this gentleman in 1800, soon after which he returned to America. He married Elizabeth, youngest daughter of Wilson Cary, Esq., of the same family as that of Colonel Cary, to whose daughter his brother, George-William, was married. Between the families of the Fairfaxes and the Carys no less than five intermarriages took place within the course of a few years.

Brian was succeeded in 1762 by his son Thomas, who died in 1646, and was succeeded by his grandson, Charles Snowden, the present and tenth Lord Fairfax.

Looking back upon the history of this family, whose members had distinguished themselves in so many different paths, and served their country in so many different capacities—in the council, in the camp, on the bench, and in the church; seeing how the various

* From Mr. Bentley's Collection.

estates of the family were, from time to time, divided and broken up; Steeton divorced from the rest of the property by an act of disinheritance; Nun-Appleton, the estate of the Parliamentary General, sold to pay the debts of the Duke of Buckingham; and Denton Hall, built by the first Lord Fairfax, the ancient manor of the house, Bolton Percy, and other estates in Yorkshire, disposed of to redeem the mortgages of Lord Culpepper; the gradual dispersion and descent of the family from their former position in England must be felt as fulfilling in a remarkable manner the prophetic fears of the founder of the barony. The title still stands in our peerage books, but the closing line of the record points with startling emphasis to the shores of a distant continent—

Seat—Woodburne, Maryland, United States of America.

Upon the death of the Rev. Denny Martin, Leeds Castle passed into the possession of his brother, General Philip Martin, who cut off the entail, and bequeathed the Castle and its territory to its present possessor, Mr. Fiennes Wykeham Martin. This gentleman took the name of Martin upon receiving the estate.

It was in Leeds Castle that the vast mass of correspondence was discovered, from which the succeeding Volumes have been compiled. Mr. Martin having occasion to make some alterations in the Castle in the spring of the year 1822, set apart for sale a quantity of useless furniture; and amongst the lumber which was thus to be swept away was an old oaken chest, filled apparently with Dutch tiles. It was purchased for a few shillings by Mr. Gooding, a shoemaker,

in the neighbouring village of Lenham. Upon the inspection of its contents, expecting, perhaps, to light upon treasures of another kind, Mr. Gooding found an enormous quantity of MSS., carefully arranged and deposited beneath the Dutch tiles which were piled up to the lid of the box. Mr. Gooding, not attaching any special value to treasures of this description, consigned the papers to a cellar to be destroyed, as occasion served, for waste paper.

It was fortunately suggested to Mr. Gooding to offer the MSS. to Mr. Newington Hughes, a banker at Maidstone, and well known as a collector of antiquities. By this lucky accident the whole collection was preserved, Mr. Hughes becoming their purchaser. But in the mean while some havoc had been committed amongst them. "Some of the parchments," says Mr. Johnson, under whose editorship the First Two Volumes of the Correspondence are now issued, "had been cut into strips for shoemakers' measures; and a fragment of one, a grant of lands to Sir Anthony Saint Leger, is now before me in the form of a child's drum pelt. Some of the letters Mr. Hughes recovered from the thread-papers of the village mantua-makers; others had been taken by a gentleman's servant, and had found their way into the collections of Mr. Jadis, of the Board of Green Cloth, and of Mr. Upcot, the well-known collector of autographs. These were nearly all recovered; and the whole form that valuable and richly illustrated series of manuscripts from which this work has been prepared."

The correspondence, which extends over two centuries, chiefly concerns the affairs of the Civil War and

the period of the Restoration. It embraces all the great events intervening between the accession of the Stuarts and that of the House of Hanover; and touches, in greater or lesser detail, upon the actions of the principal persons who were engaged in them. The confidential character of these voluminous papers enhances the interest and importance of their disclosures.

From the careful manner in which they appear to have been preserved, it may be inferred that the family were at some pains to conceal the treasures they possessed, under a justifiable apprehension perhaps that the knowledge of the existence of such documents might have led to dangerous consequences. The papers of the family were originally deposited in Yorkshire, and were no doubt removed to Leeds Castle, upon the marriage of the fifth Lord Fairfax with the daughter of Lord Culpepper.

. . .

London,
September, 1848.

THE REIGN

OF

CHARLES THE FIRST.

CHAPTER I.

The Fairfax MSS.—Epitaph on James the First, by Edward Fairfax, the Poet—Accession of Charles the First—Dissolution of the Old Parliament—General Election—Sir Thomas Fairfax and Sir Thomas Wentworth stand for Yorkshire—Correspondence connected with the Election—Sir Thomas Fairfax's Letter to the Lord President—Sir George Wentworth to Sir T. Fairfax—Sir Thomas Wentworth to the same—Sir T. Wentworth returned—Sir T. Fairfax buys a Peerage—His Letters to Lord Colville—The Plague rages—Adjournment of the Parliament to Oxford—The Lord Keeper's Warning to the King and Buckingham on its dissolution—Admiral Pennington—His refusal to deliver up the English Ships—Sir Ferdinand Gorge—Empty Exchequer—Necessity for speedily re-assembling Parliament—The enmity between the Duke and the Lord Keeper—Lord Keeper resigns the Seals—Sir Thomas Coventry succeeds—The Parliament re-assembles—Sir Ferdinando Fairfax again returned to Parliament—Letters to his Father—The King nominates Seven Sheriffs—Struggle against their selection—Sir E. Coke objects to the Sheriff's Oath—Proclamations against Papacy—The Coronation—Omens of future evil—Laud assists at the Coronation to the exclusion of Williams—The Parliament re-assembles—King's peremptory Messages—Dr. Turner's Impeachment of Buckingham—The King's Anger—He summonses both Houses to Whitehall—His severity to the Commons—Buckingham's explanation to the House—The Cause of Causes—The Earl of Bristol—Charges against the Duke—Buckingham likened to Sejanus—The King interferes—Sir Dudley Digges and Sir John Eliot committed to the Tower—Buckingham, Chancellor of Cambridge—Imprisonment of the Earl of Arundel offends the Lords—The King dissolves the Parliament—Remonstrance of the Commons—Lord Arundel again imprisoned—Earl of Bristol recommitted to the Tower.

THE earliest date in the Fairfax MSS. is the year 1535; and the first document in the collection is a

memorandum in the hand-writing of the first Lord Fairfax, tracing his ancestry back to the Conquest. Eighty or ninety letters and papers of a miscellaneous and desultory character follow, carrying us over a period of ninety years, and having reference, at irregular intervals, to personal and family matters, and to the public duties in which the Fairfaxes were engaged, chiefly concerning the local affairs of Yorkshire, where their influence mainly lay. The historical interest opens at the accession of Charles I., on the 27th March, 1625. From this point the correspondence increases in bulk and value, and presents a continuous view of the important events which ultimately terminated in the establishment of the Commonwealth.

The memory of James I., regarded with just contempt by the nation, appears to have been held in honour by the Fairfaxes, if the poetical judgment of Edward Fairfax, the translator of Tasso, may be taken as an index to their opinions. Amongst the MSS. of this period, there is an autograph epitaph by Edward Fairfax on the late monarch, in which the constitutional weakness of his character is elevated into a kingly virtue, and the indecent profligacy of his court converted into an example of purity. In this curious eulogy, the poet also sets up the doctrine of the divinity of kings, and expresses his gratitude to the dead sovereign for having left behind him such a hopeful heir as Charles, then in the twenty-fifth year of his age.

AN EPITAPH UPON KING JAMES.

ALL that have eyes now wake and weep ;
He whose waking was our sleep
Is fallen asleep himself, and never
Shall wake more till he wake ever.

Death's iron hand has closed those eyes
That were at once three kingdoms' spies,
Both to foresee and to prevent
Dangers as soon as they were meant;
He whose working brain alone
Wrought all men's quiet but his own;
Now he 's at rest, O! let him have
The peace he lent us to his grave.
If no Naboath all his reign
Were for his fruitful vineyard slain,—
If no Uriah lost his life
Because he had so fair a wife,—
Then let no Shimei's curse or wound
Dishonour or profane this ground.
Let no black-mouthed, rank-breathed cur
Peaceful James his ashes stir.
Princes are Gods, O! do not then
Rake in their graves to prove them men.
For two-and-twenty years' long care,
For providing such an heir,
That, to the peace we had before,
May add thrice two-and-twenty more—
For his days' travels, midnight watches,
For his crazed sleep, stolen by snatches,
For two fierce kingdoms joined in one,
For all he did, or meant to have done,
Do this for him—write o'er his dust—
James the peaceful and the just.

The Edward Fairfax who wrote these lines was the brother of Sir Thomas, afterwards first Lord Fairfax, and distinguished himself in the reign of Elizabeth (to whom he dedicated his translation of Tasso) for his adherence to the Church of England. "I am in religion," he tells us in his book on Dæmonology, "neither a fantastic puritan, nor superstitious papist; but so settled in conscience, that I have the sure ground of God's Word for

all I believe, and the commendable ordinances of our English Church, to approve all I practise." The facility with which he reconciled this declaration of faith, with his admiration of King James, is as remarkable as the facility of his versification, so highly applauded by Dryden, and imitated by Waller.

The first measure adopted by Charles I. shadowed forth the whole policy of his reign. Having peremptorily demanded an immediate supply from the Commons, and having received in answer an address in which they declared their loyalty to the throne, and their readiness to grant all necessary supplies upon the condition of a redress of grievances, his Majesty abruptly disposed of the difficulty by an immediate dissolution of Parliament.

This act was enough in itself to awaken popular distrust and resentment; but the elements of discontent had been in agitation long before. A new power had been gradually assuming shape, consistency, and strength —the power of public opinion; and the arbitrary conduct of the King, at the outset of his career, gave it a sudden and unexpected impetus. The people saw how little reliance was to be placed on his justice or his moderation, and they resolved to avail themselves of the occasion thrown open to them by the elections for the vindication of their rights. The outrage committed on the last Parliament of James was to be redressed by the vigilance of the constituencies in the choice of the first Parliament of his successor.

This was the more essential, as, outside the authority of Parliament, it was vain to contend against the arbitrary proceedings of the King. The constitution was so

undefined, that Lord Clare said that "the *lex loquens* was above book-law;" and the most sagacious politicians declined a contest with the prerogative, to use the remarkable words of Wentworth, "out of Parliament." Even the corporate franchises were held at the caprice of the Sovereign, who exercised as complete a control over the springs of public liberty as if the form of government had been a pure unrestricted despotism. The only refuge, consequently, left for the people was in the action of the Parliament upon the will of the King.

Thus, at the very dawn of the reign of Charles I., commenced that struggle which finally narrowed itself in the open field to the two conflicting estates—the King and the Parliament.

At the general election in 1625, Sir Thomas Fairfax stood for Yorkshire, in conjunction with his cousin Mallory and Sir Thomas Wentworth, afterwards Earl of Strafford. The election was severely contested by Sir John Savile and his son, who possessed considerable influence in the county, and owed an ancient grudge to Wentworth, which exposed Fairfax, who was his kinsman, to additional hostility from their opposition.* Sir Thomas Wentworth, who had previously represented the county, appeared in the popular interest, and it may be inferred that Fairfax was equally committed to the

* Sir John Savile had formerly been Custos Rotulorum, or keeper of the archives, of the West Riding; but in consequence of having made use of his authority for his own ends, had been displaced, and Sir Thomas Wentworth appointed in his stead. In these transactions Sir Thomas Fairfax had taken an active part against Savile. At a subsequent election in 1621, Wentworth successfully opposed Savile, and a deadly feud was from that time forth engendered between them.

same side. In the following letter to the Lord President, Sir Thomas Fairfax avows his apprehensions as to the result, founded upon the scandalous means resorted to by the Saviles, of which he had had ample experience on former occasions. The letter of Sir Thomas Wentworth which succeeds throws a little further light on the preparations for the contest.

FROM SIR THOMAS FAIRFAX, KNIGHT, TO THE LORD PRESIDENT.*

RIGHT HONOURABLE,

BEING bound to your lordship's service, I cannot omit any occasion that may manifest my duty. Since your honour's going from hence, we perceive that Sir John Savile and his son do intend to stand both to be knights for this shire, this Parliament, as also Sir Thomas Wentworth, my cousin Mallory, and myself.

* The Sir Thomas Fairfax, above-mentioned, was born at the family seat, Denton, in Yorkshire. By his wife, Ellen, daughter of Robert Aske, Esq., he had the following issue, frequently to be noticed in the following pages :—

1. Ferdinando, second Lord Fairfax.
2. Henry, Rector of Bolton Percy.
3. William, a Major in the army, killed in 1621, whilst defending Frankendale, in the Palatinate.
4. Charles, residing at Merston.
5. John, killed in the Palatinate, 1621.
6. Peregrine, killed at Rochelle, 1621.
7. Thomas, killed in Turkey, the same year.
8, 9, 10. Three sons who died young.
11. Dorothy, married to Sir William Constable, Bart.
12. Anne, married to Sir George Wentworth, Knight, of Woolley, Yorkshire.

The father of this distinguished progeny died in 1640, aged 80, some years previously to which he had been raised to the Scotch Peerage as Baron Cameron.

The Lord President of the North, to whom Sir T. Fairfax addresses this letter, was the Lord Scroope.

For the advantage of the first, scandalous and seducing letters are written: a copy of one of them I here inclosed send to your lordship, that you may perceive if strength do fail, policy (though with untruths) must supply them. And by these means, as if the state of religion did lie upon the stake, they will no doubt accumulate such a multitude of people in those well-disposed towns of trades, as they will be powerful; neither can the falsehood of the suggestions appear; for at the day of election shouts, not reasons, must be heard.

These stones (they say) are cast at William Mallory, who, I know, will most substantially acquit himself of the guilt; for he doth daily make good testimonies of his sincerity. This I thought good to signify to your honour.

The writer of this letter is John Savels, curate at Woodkirk. Thus desiring to know wherein I may be commanded by your lordship, I humbly take my leave.

TO HIS MUCH HONOURED FATHER-IN-LAW, SIR THOMAS FAIRFAX, AT DENTON.

SIR,

I MUCH rejoice to hear of your safe return from London, and would be glad to know of the continuance of your health by this bearer. All the gentlemen within this wapentake of Stancross are very firm as well for your election as Sir Thomas Wentworth's, save only Sir Francis Wortly, who hath something wronged you, and your cause, but himself more. He hath entreated all his neighbours and friends for Sir Thomas Wentworth, but not one for you, Sir; his reasons you may know by Mr. Scott's letter to Sir Ferdinando.

Sir, I was upon Friday at Woodhouse,* where you were kindly remembered. Sir Thomas Wentworth told me he had written a letter to you, and expected an answer; he intends to-morrow to dine with Sir Francis Trapps, where he is desirous to meet you. Sir, all your friends in this part of the country are well, God be thanked. My father commends his service to you, and would have been glad if you had been pleased to shorten your journey at Woolley; my child (I thank God) is well, and more healthful than formerly he hath been; and so entreating your prayers for both him and me, I rest with the remembrance of his respects, who will ever remain,

Your observant son-in-law,

GEORGE WENTWORTH.†

Woolley, July 25th.

Sir Thomas Wentworth sent my Lord-Keeper's (Williams) letter to my Lord Dunbar: he used his man very honourably, and so told him if Sir Thomas had but sent his own letter, it should have served him. Sir Francis Cooke and Sir Edward Letch are labouring my Lord of Arundel and Pembroke's people.

TO MY VERY WORTHY AND MUCH ESTEEMED FRIEND, SIR THOMAS FAIRFAX, KNIGHT, AT DENTON.

SIR,

BY reason the Parliament is adjourned to Oxford the 1st of August (which will now be the day

* Woodhouse, the seat of Sir Thomas Wentworth.

† This is Sir G. Wentworth of Woolley, who married the second daughter of the first Lord Fairfax, and must not be confounded with Sir George Wentworth, brother-in-law to Sir T. Wentworth, afterwards Earl of Strafford.

of our election at York), it was impossible to stay the writ, for then my Lord-Keeper (Williams) would have been liable to a just complaint, the House wanting their members, through his not issuing the writ so soon as he ought. Monday come fortnight, then, is our day; against which time I assure you I will prepare all the strength I can possibly make you, and labour it hourly with all the means I have. You will be pleased to do the like, and before ten days' end, you shall, God willing, hear from me again. I have written to my Lord of Cumberland and my Lord Clifford, in both our behalfs.* It should be handsomely infused into the gentry how much it concerns them to maintain their own act, and that the whole kingdom looks not only whether Sir John (Savile) be able to carry it against you and me, but indeed against all the gentlemen too besides. The other freeholders should, by some fit instruments, be let to understand that they have reason to stand to the first election, by reason we were put forth by a faction for serving them honestly and boldly; the little cause they have to choose Sir John, that did so apparently wrong them by bringing in apprentices, and such as had not voice, much to their danger and prejudice, and that since hath been the author of putting the country to this second trouble, which will, in the consequence thereof, more harm the country than all his services will ever recompense. I purpose, God willing, to be with all the friends and freeholders I can make at Tadcaster, about two o'clock in the afternoon,

* These were the father and brother of Sir T. Wentworth's first wife. Their chief celebrity arises from this connection, and being so nearly related to the celebrated Countess of Dorset and Pembroke.

where I entreat, if you come from Denton, that you would meet me, to the end we may go in together. If you be at York then, I pray that your friends and freeholders may all stay for me at Tadcaster, with the other that are for me, that we, at least I, may have their company in with me. The freeholders must be thoroughly dealt with, not to stir out of York before they be polled. It were very fit, in my opinion, that two hogsheads of wine and half a score of beer were laid in within the Castle, for the freeholders, who will be forced to stay long, to refresh themselves with this hot season. If you approve of it, I will take order it shall be provided; in truth, I think it necessary. Thus desiring to hear from you by the bearer, I remain,

Your very affectionate and assured friend,

T. WENTWORTH.

Woodhouse, this 16th of July, 1625.

These two letters from my Lord of Northumberland, I pray you send away with all speed; I have already sent away his lordship's letters to Mr. Stapleton and Mr. Kay.

The result of this election was the return of Sir Thomas Wentworth, and the defeat of Fairfax. The Saviles had employed the same resources which they had brought to bear at former elections, and which Sir Thomas Wentworth evidently anticipated they would resort to again. Such was the corruption to which the Court party did not hesitate to descend, that shameless attempts were made to swamp the freeholders by troops of apprentices. "If it be tolerated," said Sir Richard

Beaumont, in a letter to Wentworth, "that there shall come six, seven, nay, ten apprentices out of a house, this is more like a rebellion than an election." It was, in fact, a significant hint of the rebellion the King was preparing against the rights of the people.

Wentworth's triumph was of short duration. The Saviles petitioned against his return, and succeeded in annulling the election. The debate upon the validity of the return was distinguished by some remarkable features. Eliot and the popular party supported Savile; and the Court, beginning to dread the talents of Wentworth, threw its influence into the opposite scale. Wentworth was not insensible to the advantages of the new alliance; and when the next election for Yorkshire was about to take place, he prepared himself with confidence to contest the representation again; but was arrested in the midst of his arrangements by finding himself pricked for Sheriff of the county, an office which rendered him incapable of serving in Parliament. Other marked men were got rid of by the same trick, the exclusive merit of which was attributed to Buckingham, who, in addition to party motives in the selection, was actuated by personal animosity against Wentworth. Coke declared that the gentlemen who were thus excluded might serve for other places out of the range of their duties as Sheriffs; but Wentworth, although he was solicited to join Sir Francis Seymour in an election, and had the borough of Pontefract to fall back upon, declined to engage in a contention with the Court on this point.

Sir Thomas Fairfax, thrown out for Yorkshire, consoled himself for his defeat by looking for honours of

another kind. His eldest son, Ferdinando, had been returned for Boroughbridge; and, with that stake in the House of Commons, and his own wealth and influence to strengthen his claim, he entered into negociations for a peerage. It was a simple matter of bargain on both hands. The King wanted money, Fairfax a title; and, with this clear understanding, there was no difficulty in adjusting the arrangement. The "services" upon which Sir Thomas founded his claim are enumerated in a paper copied from the original by his son Sir Charles :—

REMEMBRANCES OF SOME OF MY FATHER'S SERVICES, TRANSCRIBED OUT OF A PAPER OF HIS OWN HANDWRITING.

1. The first opportunity which I took to satisfy my desire in the sight of his Majesty (the late King James, deceased), was when Sir Francis Walsingham was ambassador in Scotland, at which time I came to Berwick with the Earl of Essex, but the return of the ambassador prevented my going on.

2. The next was with my Lord Wotton, at which time I (having given two horses to my Lord of Leicester) was sent to present them to the King, who used me graciously. At which time, a place falling void at Berwick, and some moving her Majesty for me, received this answer :—"She would put no Scots there whilst she lived."

The winter after, I attended the Earl of Leicester into the Low Countries, who gave me a troop of horse there, which within few months he withdrew, by reason of a letter from Sir William Keith, which was inter-

cepted, importing his hopes that I would do good offices for his Majesty amongst the men of war; as also that his lordship did hear I had spoken with some of them to prepare them to his Majesty's service (in due time), as Sir William Keith did write, which being known, my lord said, might bring him in question for his head, he having so many enemies who, knowing my nearness to him, might conceive it was with his privity.

3. In 1588, I went into Scotland without leave, hearing his Majesty was in action, suppressing the rebellion of the Lord Maxwell, where I did offer my service to his highness.

4. I went with the Lord Lisle into Scotland, uncommanded.

5. I did likewise go with the Earl of Worcester thither. Being senior captain of Sir Francis Vere's first regiment of foot, I, leaving my own company with my lieutenant, did enter the great ravelin at Groyning, amongst the Scots, in rank with Colonel Murray and Captain Brogue, to express my love to that nation, no stranger entering that breach but myself and one to attend me.

I continued so long in Berwick with my Lord Willoughby, until the Earl of Essex did think my being there might bring a suspicion upon (the said) Lord Willoughby.

In the declining age of her late Majesty, Queen Elizabeth, I moved the Earl of Exeter (then our president) to keep in store two thousand arms at York, lest they might have been abused by some seditious, knowing his lordship's mind (to the good of the King and the land) by divers private conferences betwixt his lordship and me.

6. After I had proclaimed his Majesty, I went into Scotland with six of my nearest kindred, to swear loyalty to his Highness.

Since (as a lame man might do) I have sometimes waited on (but always prayed for) his Majesty.

Sic subscribitur,

T. FAIRFAX.

The certificate of the Earl of Leicester, concerning his services in the Low Countries, is not at present to be found.* Nor any papers of his services in France or Germany. Neither (here mentioned) that he was (*pro tempore*) Governor of Amersford. This only (or principally) relating to Scotland. He had first a company of 200 foot in the Low Countries, by commission from the Earl of Leicester, dated May the last, Anno 1586, and afterwards the troop of horse which formerly belonged to Sir Thomas Morgan.

The negociations for the peerage were discreditable to all parties engaged in it; but it is only fair to acknowledge that Sir Thomas Fairfax comes out of the business with cleaner hands than the hucksters of the Court. It appears that the amount agreed upon to be paid for the Scotch barony of Cameron was 1500*l.*, Sir Thomas expressly stipulating that he should be exempted from all charges in the way of fees. The money being paid over and the matter finally settled, he accom-

* "I, Charles Fairfax, have the copy of my Lord Willoughby's letter to the Principal Secretary of State (Sir John Stanhope) wherein he makes his request to the Queen that he may resign his government of Berwick and those Marches to my father, the transcript whereof my lord sent him."—*Fairfax MSS.*

modated the agents "with bags and other commodities to pack the moneys in;" and then sent them off to the post-town with horses and servants, so thoroughly satisfied with his treatment of them, that they promised to send him some remembrances of "pistols and other things." Considering the nature of the article in traffic between them, the commercial formality with which the bargain was struck and concluded is worthy of special admiration. Having thus bought a peerage, and paid for it, Sir Thomas imagined that he had earned a clear right to enjoy it unmolested; but he had hardly assumed his title, when the people who had so handsomely carried away his bags and the other commodities, and forgotten to send him the promised pistols, reminded him that the fees for his patent were undischarged, and that it was furthermore indispensable for him to be naturalised in Scotland, where his barony lay, and to contribute towards the plantation of another Scotland, in the New World, where he had neither a barony nor the expectation of one. His indignation upon the receipt of these usurious demands was very great, as might have been expected, and exploded in the following characteristic letters to Lord Colville:—

THOMAS, LORD FAIRFAX, TO LORD COLVILLE.

MY VERY GOOD LORD,

I DID, about six weeks since, write to your lordship by the post-master of Borowbridge, in answer of letters which I received from Mr. James Colville, your kinsman, who did signify unto me that the fees for my patent were undischarged; and that his Majesty's officers

did expect them from me, which is directly against my agreement, both as I did signify to your lordship in my letters from Stilton, and to Mr. Colville himself, when he came by my house in his journey towards London. At which time he seemed to more require a gelding of me than the 1500*l.* promised towards the charges of the patent. Whereunto I answered that if the patent were not freely delivered into my hand without one penny charges more for fees, soliciting, or whatsoever, I would refuse it, for I was then offered a better title for the same sum; yet because of the noble respect which I have long time borne to your lordship, I would perform my word with you, which Mr. Colville undertook on your lordship's behalf, desiring that I would advance the second payment a little sooner, which was the 500*l.* promised by my letters to your lordship, within six months after 1000*l.* were paid. I told him I had some moneys, which, if I might spare, I would pay with the first payment. Coming from London, he did show me the bill assigned. Afterwards he and a worthy gentleman, one Mr. Calunder, brought me the patent; upon receipt of which I did deliver unto them to your lordship 1500*l.*, for which I have their acquittances.

I did accommodate them with bags and other commodities to pack the moneys in. I sent my horses and servants to Borowbridge to carry the money and attend them, for which Mr. Colville promised me some remembrances of pistols, and other things which I am careless to mention.

The next news which I heard from Mr. Colville after his arrival in Scotland, was a letter that I must be made

denizen of that kingdom, also that I must contribute towards the plantation of New Scotland in America, and that his Majesty's officers and servants had put me in the senate for the fees of my patent, but he had taken course to stay proceeding until I were advertised. Truly, my lord, I dare adventure my life that your lordship is not acquainted with these things; and I assure myself that the letter which I did lately write unto you was not delivered, though I think it came to Mr. Colville's hands. But having now sent my servant for a certain messenger, I doubt not but your lordship is so noble as to take that care for discharge of these fees as I would do in the like if it did concern you. Thus kissing your lordship's hands, I take leave.

Your lordship's humble servant,

T. FAIRFAX.

Denton, 12th April, 1628.

THOMAS, LORD FAIRFAX, TO LORD COLVILLE.

MY VERY GOOD LORD,

SOME letters which I received from Mr. James Colville is the cause of my now sending to your lordship. The contents of one was, first, that I must be made denizen of that kingdom; secondly, that I must contribute to the plantation of New Scotland; thirdly, that I must pay fees to his Majesty's officers for my patent. To the first, I answer, the patent enables me; for the second, my dwelling exempts me from the necessity; and the third is directly against my covenant; for your lordship knows, and none better than Mr. Colville, that I

did refuse, if I might not have it freely delivered upon payment of the sum agreed upon.

My letter from Stilton did intimate so much to your lordship (a copy of which I have): my speeches with Mr. Colville, when he went for the bill assigned, expressed the same. How I have performed, both Mr. Colville, and that worthy gentleman, Mr. Cullender, do know, and their acquittances will show. I did, not long since, write to your lordship, from my house at York, but I have received no answer; so, as I think, the letters have miscarried, and also I do assure myself that your lordship doth not know of these letters of Mr. Colville's. I know you are too noble not to perform with any man, much more with an old friend, who, if he had hearkened to another's motion, might have had better penny-worths. Thus, not doubting but to find you as you have ever been—truly noble—I take leave. Resting,

Your lordship's brother and humble servant,

T. FAIRFAX.

Denton, this 16th of April, 1628.

I pray your lordship let my servant bring some testimony that the officers be satisfied, because Mr. Colville writes that they have put me in suit for the fees. I forbear to write of some tokens which Mr. Colville did promise to send me from your lordship and himself, in regard of some accommodation which he had of me, besides the advancing of the payment before the time agreed upon.

These letters appear to have brought this disgraceful negociation to a close; for Sir Thomas remained Lord

Fairfax of Cameron, and we find no further remonstrance against attempted extortion.

In the mean time the new Parliament had assembled on the 6th of February, 1626. The first measure they adopted was the appointment of two committees of inquiry—one of these, ominously enough, being selected to sit upon the grievances of the country; while the determination which they brought to their proceedings was plainly expressed in their vote upon the King's Tonnage and Poundage, which, instead of being granted as heretofore for the life of the Sovereign, was restricted to the term of a year. The popular members did not rest here. They openly declared their dissatisfaction with the state of affairs, and went so far as to state that they expected not only the national grievances to be redressed, but the unpopular minister of the day to be removed.*

The Plague was now raging to such an extent in London, that Buckingham proposed an adjournment to Oxford, a measure which was opposed by the Lord Keeper, who apprehended that it would still further exasperate the members. But Buckingham despised the warning, and "bade him (the Lord Keeper) and his confederates do their worst."†

On the 1st of August, both Houses assembled at Oxford. The Lord Keeper's fears were realised. The Commons assailed the Duke as the chief promoter of measures in favour of the Papists; and the King, in spite of a fresh remonstrance from the Lord Keeper,

* A Subsidy was really a Property Tax, being levied on urgent occasions upon every one according to the value of his lands or goods.

† Hackett's Life of Lord Keeper Williams. Part II. 14.

dissolved the Parliament after a short meeting of twelve days.

The hostility of the Commons against Buckingham was founded upon a knowledge of the fact, that the Duke had actually sold a part of our navy to the French King, to be employed by him against his Protestant subjects; and also that the Court party had been tampering with the popular leaders, a manœuvre which was unreservedly acknowledged by the Lord Keeper.*

The sale of a portion of the navy (an act nearer to treason than the worst crime for which Strafford was impeached) took place while the Parliament was sitting at Oxford. The late King had promised the aid of our navy to the French, on condition that it should be employed only against Genoa, and that the majority of men on board should be English. Admiral Pennington, in the Vanguard, while lying off Dieppe, was ordered by Buckingham and Sheriff Conway to deliver up his ship to the French monarch; an order which he peremptorily refused to obey. Money, dignities, were offered to him by the French envoy in vain. Threats made as little impression. His dignified reply was, "I will not deliver over my ships." They menaced him with death; but, said the valiant sailor, "I had rather the King should take my life, than to have a hand in the surrendering or undervaluing such a bulwark of the kingdom." The crew were so outraged that, without

* Hackett, II. 17. The two members named were Sir Robert Phillips, one of the members for Staffordshire, and constant leader of the reform party despite his imprisonment in the Tower; and Sir Thomas Wentworth, already noticed, and afterwards more distinguished as Earl of Strafford.

waiting for orders, they got up the anchors and set sail for England, the Admiral naïvely observing, "I must confess I heard what they were doing, but let them alone, because I saw they had reason."*

Buckingham ordered him to return forthwith and give up the fleet to the French. Pennington had now no excuse for disobedience, but upon endeavouring to carry his orders into effect, the crews of the vessels mutinied, and he had to resort to force to compel obedience. All the ships were given up, except the Neptune, commanded by Sir Ferdinand Gorge, who returned with her to England, despite the fire opened upon him by the Admiral. This may have been mutiny, but the Court was evidently afraid to try the question, for Sir Ferdinand was never called to account, and Buckingham avoided the inquiry which he dreaded, by observing that "it is not always fit for kings to give account of their counsels."†

* Pennington to the Duke of Buckingham.—*Cabala*, 350. There could be no truth in physiognomy if Sir John Pennington had not been brave, generous, and pious. Nothing would induce him to serve against the King, and he was superseded by the Earl of Warwick. Pennington died in 1646.

† Rushworth, I. 192.—At the same time he pleaded that he could fully exculpate himself, if he were permitted to reveal "a State Secret." His apologist, Mr. D'Israeli, who ventures so far as to say "Buckingham was certainly always English in his feelings," states that the ships were never intended to act against the Protestants, and quoting from Gerbier, Buckingham's own creature, he repeats the statement that Pennington returned from Dieppe to the Downs in consequence of an order in cipher from Charles. But no one who reads the Admiral's earnest and noble defence of himself on that occasion in acting contrary to the Duke's orders, will believe that Buckingham had any knowledge of this. When Charles received accounts that peace was being concluded between the French King and his Protestant subjects, as Mr. D'Israeli states, he then commanded Pennington to return to Dieppe and give up the ships to French officers. Even supposing this to be true, it was a higher misdemeanor thus to surrender our Navy. But no one for an instant can believe that Buckingham did not well know that the ships were destined to act against the Protestants

The Parliament, which openly resented these acts of treason against the country, was dissolved; but the necessity for its speedy re-assembly soon became manifest. The Exchequer was almost empty, expensive hostilities had to be maintained, and no sufficient subsidies had been granted. The King attempted to raise the requisite supplies by a summary exercise of his prerogative; but failed. The Lord Lieutenants of the counties were directed to inquire "by any means or instruments they liked best," of the sums of money that persons within their counties, "exclusive of noblemen," were able to lend to the King; and letters under the Privy Seal were directed to all such persons, ordering them to pay the sums at which they were thus assessed into the hands of certain named receivers.*

During the cessation of Parliament, Buckingham, released from the fear of his legislative pursuers, had nothing to check him from his resolve to overthrow the Lord Keeper. The mother of the Duke had warned Dr. Williams of the impending blow, as well as of him who had stimulated her son to the enmity. "St. David's (Bishop Laud) is the man," said the old Countess, "and he would underwork any man in the world that he might rise."† In vain did the Lord Keeper entreat the King not to take away his favour upon groundless sus-

after the letter from the French King to Pennington, which letter was communicated to the Duke, commanding the admiral "to go and to join with his great fleet against his rebellious subjects."—*Cabala*, 348. Buckingham asked the Parliament at Oxford "to judge by the event," and upon that datum his condemnation is complete, for the ships were employed against the Protestants at Rochelle, and according to the Frenchman's own testimony, "the Vanguard mowed them down like grass."—*Rushworth*, I. 337.

* Rushworth, I. 196. † Hacket, II. 19.

picions entertained by other men, but all the leniency he could obtain was, that he should be required to resign the Great Seal on the pretext that he had held it for three years, a term King James considered long enough for any Lord Keeper to retain his office. There was little consolation in this, for as Dr. Williams's biographer observes, "whether it come from a black or white whip, the wound will be blue." He had to resign the Seals, and at once "felt the heaviness of this lightness—a cashiered courtier being like an almanack of the last year, remembered by nothing but the great eclipse."* Sir Thomas Coventry succeeded to the vacant office; a sound lawyer, "unaided by principle, yet knowing how to preserve a certain reputation for honesty."†

The counties were so unanimous in declining to contribute to the illegal taxation attempted by the King, that a forcible exaction of its payment dared not be attempted. This was most painfully distressing to the Court party, for their pecuniary embarrassments were exasperated by the delay of the means of payment; and, as a last resource, the Parliament was re-assembled. It was summoned in February, 1626, but even those who were thus compelled to submit to its re-assembly, could not have hoped that the members, so lately dismissed with contumely, would return forgetful of that treatment, or unconscious of the weakness which this speedy recal confessed.

Sir Ferdinando Fairfax was again returned to the Parliament by the burgesses of Boroughbridge, and immediately after reaching London he addressed to his father these two letters :—

* Hackett, II. 26. † Campbell's Lives of Chancellors, II. 510.

TO THE RIGHT WORTHY MY VERY GOOD FATHER, SIR THOMAS FAIRFAX, KNIGHT, AT DENTON, THESE.

SIR,

MY continuing lameness has kept me these eight days from Parliament; I thank God it mends now, and I hope shortly to be able to stir abroad.

I. made Sir Richard Hutton* acquainted with the contents of your letter, who seems very well contented with his place, and gives you many thanks for your respects of him; he desires his company may be as near him as may be, and is resolved shortly to be in the country with it. George Clapham was gone into the country before I received your letter. My Lord Scroope is now at Brackley, but had your letter before he went, of which I hope I shall be able to require an answer at his return to town.

I was divers times to wait on him, but could never find him within. His lordship is pleased to follow the course of other Lieutenants of counties, which is to get all Deputy Lieutenants within their governments released of their Privy Seal;† and therefore, Sir, you need not pay, or if you have paid, the collector may re-deliver it, who I doubt not by this time hath special directions to forbear such. Sir John Ogle is now in physic, and his lady has a fever. The Council of War has given us no account of the moneys issued, nor whether their resolutions in general were followed. They were thrice called, and the two first times made cautious answers,

* Sir R. Hutton was of Goldesborough, in Yorkshire, where he had a good estate, descended from his father, of the same names, and a Justice of the Common Pleas.

† Directing them to assist in raising loans for the King's use.

protracting time, and at last each of them came with their answer in writing, fair writ, referring us to the letters, and letting us know, that touching their advice, whether it were followed or no, they held themselves by the Act not compelled to give any answer thereunto. The King hath writ to the Speaker to put us in mind of our promise to relieve him in so ample a manner, as to make him secure at home and feared abroad; indeed, our hopes of ease in grievances drew from the Commons this large promise, which he is pleased to require without conditions, yet puts us in hope of a Kingly care to redress them. If we give nothing, we not only incense the King, who is in his own nature extremely stiff, but endanger a ruin of the common-weal, as things now stand; and if we do give, it may perhaps not be employed the right way, and the more we part with, the more we shall want another time to bestow. If we give nothing, we must expect to be dissolved, and live in apparent danger from abroad; if we give little, we must expect little from his Majesty in ease of our requests, and not be secure from our enemies. The proportion must make all things well or ill, and what this will be I yet know not, for Monday next is the day appointed to begin this business, and without any intervening matter to proceed till we make an end.

The King demands a large sum for provisions at home and abroad against the enemy, for eight months, at least, yet to come, and to continue the charges which he hath already been at, viz., to the King of Denmark 30,000*l.* a month; to Count Mansfield 20,000*l.* a month; and to the States 9000*l.* a month—these abroad.* At home,

* These expenses were to maintain our allies in a war against Germany, to

he requires for the setting out of forty ships to guard our coasts, and for the army of 10,000 men, to be always in readiness when an invasion may be threatened, which now lie in the western parts, and to be employed with the ships as occasion shall need; all which amounteth to about a million. My Lord Wimbledon is in good esteem at Court, and has given such satisfaction to the Duke (of Buckingham), that his grace commends my lord's carriage, who, it seems, did as much as his commission did warrant him, punctually. Yet will he never cast off the aspersions which the captain and soldiers lay upon him in doing that little with little judgment and less advantage.*

Sir, I received this note from one of the clerks of the Star Chamber, who will not give any copy of Sir John Savile's Bill until some be served of the defendants, and answer to it; neither would he have given the names, but to a special friend who got it for me. If it please you to advise with Sir Thomas Wentworth and the rest for a cross bill, he may be served with a *subpœna* before the next term, and so both come together to a hearing in Michaelmas Term, when the parties must be present. Sir, when the Parliament shall either end

recover the Palatinate. The Palatine and King of Bohemia was the husband of the King's sister.

* This version of the failure against Cadiz, differs materially from the narratives given by Franklyn and Rushworth, and which fully accord with the opinions expressed by his own officers and soldiers. Having with him a fleet of 80 vessels and 10,000 soldiers, yet he did no more than land, take a fort, and then retire. He was created Baron Cecil of Putney, and Viscount Wimbledon in 1625, having been known previously as "Sir Edward Cecil, Knight, and younger son of the Earl of Exeter." He was thrice married; but having no surviving male issue at the time of his death, in 1638, the title became extinct. This expedition against Cadiz was in the interval between the last and present Parliament.

or be adjourned, which I think will be within three days of Easter, I shall have time, I hope, to satisfy you in this and many other things. As yet I could not get to see either my Lord of Mulgrave or Sir John Ogle at their own houses, or meet them where I could have any time to speak much with them, which I would not have neglected, but that I am assured they will not take it for any want of respect. I think my Lord President will instantly return into the North (though he has small hopes of holding his place longer than to part with it upon convenient terms),* and it is said all the Lord Lieutenants shall do the same into their governments; for it is conceived we shall have an alarm within these six weeks from Spain and Flanders, upon some coast; and this is not to affright the Parliament for more supply, but some assurance the seamen have that the Spanish fleet will bend this way. I pray God they may be deceived, as I hope they are, seeing some conceit it to be to draw the King of Denmark home; howsoever, it is most certain the fleet is the greatest which Spain ever had, and now ready to put to sea.

Sir, I must humbly entreat your pardon for these confused lines, for I was somewhat interrupted in the writing them, and have no leisure to alter them. Your hat was sent by the last messenger; the man of whom I bought it did promise me to convey it sooner; if you

* Emanuel, Baron Scrope of Bolton, was the Lord President of the King's Council in the North, here alluded to. About two years subsequently to the date of this letter, he was created Earl of Sunderland; but this title became extinct upon his dying without issue by his wife, Elizabeth, daughter of John Manners, Earl of Rutland. Sir John Ogle was his Deputy President. Lord Scroope was quite correct in his fear that the Lord Presidency would be taken from him. He was removed to make way for the Earl of Strafford.

mislike either the colour or fashion, he will provide you with another, or repay the money.

Thus, Sir, humble craving your blessing, I take leave.

Your ever obedient and humble son,

FÉR. FAIRFAX.*

Strand, this 24th of March, 1625.

SIR,

I CAN give you no good account of our proceedings: we do nothing of what the common-weal may receive benefit, and that we intend is still furthest off. We have sat now four months, and the Parliament seemed to end with the first of them. Then we had some good bills ready, and were resolved to give subsidies—now we know not where we are. And certainly his Majesty will refuse his moneys rather than satisfy

* Ferdinando, subsequently second Lord Fairfax, was afterwards member for the County of York, and General of the Parliamentary forces there, when the Civil War commenced. His biography will appear more fully from the letters which will hereafter appear in these pages. He died on the 13th of March, 1647-8, aged 64, and lies buried in the church of Bolton Percy in Yorkshire. His first wife was Lady Mary Sheffield, daughter of the Earl of Mulgrave, and by her he had the following children :—

1. Thomas, third Lord Fairfax, the celebrated Parliamentary General.
2. Charles, a Colonel of Horse, killed at Marston Moor, in 1644.
3. John, who died young.
4. Ursula, who died unmarried.
5. Elizabeth, married to Sir William Craven of Lenchwicke, in Worcestershire.
6. Eleanor, married to Sir William Selby, of Twisel, in Northumberland.
7. Frances, married to Sir Thomas Widdrington, of Cheesebrow Grange, in Northumberland.
8. Mary, married to Henry Arthington, of Arthington, in Yorkshire, Esq.
9. Dorothy, married to Edward Hutton, of Popleton, in Yorkshire, Esq.

He married, secondly, Rhoda, daughter and heiress of Thomas Chapman, Esq., of Stafford, and by her had issue, one child—

Ursula, married to William Cartwright, the younger, of Aynho.

our expectations in the Duke,* whose greatness, power, and courses make us still conceive no safety so long as he continues at this height, or is in danger of further growth. We shall desire by some remonstrance to part fair, and make appear to the world our readiness to the work required, where have been the stops, upon what occasions, and by whom, and when this is done be readier for a conclusion when the King shall please.

The Duke's late election in Cambridge to be their Chancellor gave a great distaste to the House of Commons, who took it as an affront in the midst of their complaints, to have one chosen whom they had impeached, and stood accused of high treason, and other heinous crimes. This gave occasion of conceiving a letter to the University, to give some account of their proceedings herein; but his Majesty interposed as a thing solely belonging himself to reform, if there were any abuse, which has made a stay of that business, so as still we find the tenderness of the Duke to be touched. My Lord of Arundel comes to Parliament, but not to Court, nor Council-table; the places he had during the King's pleasure are taken from him; the Marshalsea being for life he still enjoys.†

My Lord of Bristol‡ carries himself wisely and

* Duke of Buckingham.

† The King had arrested the Earl of Arundel; but the Lords demanding that he should be set at liberty, his Majesty had released him the day before the date of this letter.

‡ John Digby, Earl of Bristol, here alluded to, was a royal favourite, displaced by the Duke of Buckingham; and between them there thenceforth arose a most determined hatred. They impeached each other; the Duke commencing in this mutual charge of treason; "but the Earl," observes Walpole, "repelled and worsted him, and afterwards showed greatly among the discontented in Parliament; but the violence of that Parliament soon disgusted his solemn disposition; for he who was not supple enough for a Court, was by far too

boldly, and if he make not the articles good, desires the punishment which may be due unto the Duke; who yesterday presented a modest answer in writing to the House, wherein some things he seems to excuse, and for the rest he pleads the two general pardons, that of twenty-one Jac., and this last of the coronation. This day the House sent for a copy of his answer, because we reserved a liberty to reply if need were, but the Lords have not yet sent it, otherwise I had given you more particulars of it.

Mr. John Lowther, who serves for Westmoreland, and hath done the Duke some good offices this Parliament, was knighted on Tuesday last, and made of the council in Sir George Ellis's place. His good friends make his conditions easy.

The letter which came to Daniel Foxcroft, Joseph Harrison and the rest from Sir John Savile, was with much ado started out of Daniel's pocket yesterday and read, which concurred verbatim with the copy formerly delivered. Sir John denies the subscription, denies the effect, and lays the blame on his son Edmund, who should do it without his privilege; yet confesseth a letter which he caused Benson to write at the same time much to that purpose. Harrison was examined at

haughty for popularity. He finally joined the royalist party; and died in exile after its final overthrow. His death occurred at Paris, in January, 1652-3.

To the Parliament, whose proceedings are the chief topics of this letter, the Earl of Bristol had received no summons, the Court being fully conscious of his enmity to its ducal favourite. Of this the Earl complained; and the King, acknowledging his right, sent him a summons, but accompanied it with an order to remain at his country seat. He petitioned the House of Lords to inquire whether their liberties and privileges were not infringed by this order; and this was followed by the King impeaching him for high treason. In self-defence the Earl impeached the Duke of Buckingham; and to this the letter before us alludes.

the bar, who so juggled in his answer as he was in great danger of being committed. He hath till Monday given him to declare who writ the superscription which he pretended then not to remember; and the same day Sir John is to make his answer, who to all men doth seem faulty enough, yet I think will come off very clear; for this same day we had a letter from his Majesty, the consideration of which is referred to Monday, which being of greater consequence will drown the less; the effect of which letter is briefly this:—

That we could not forget how often he had called on us for aid, and with what patience expected it; that the time of the year was far spent, and that he was advertised from all parts of the enemy's readiness to assail us; that the subsidy bill should be presently brought in and past without any conditions before the end of the next week, which done we should take our own time for recess, and dispatch of business now on foot; if not, he must be forced to other resolutions; and if we delay he would esteem it as a denial, and think himself discharged before God and man with this admonition, if any evil consequence fell out, which was very much to be feared. This, Sir, I think, has set a period to our time if we satisfy not, and what will be done, God knows. Our many interruptions have hindered the preparing of our greatest grievances, and though in this time they may be fitted for his royal hand, yet are we not to expect an answer of them until we have given, which is flat against the order entered when the subsidies were first promised. The higher House will be also taken short, if we demand judgment of the Duke, who only hath put a plausible answer in writing,

but nothing made good by proof or any other way which may conduce to his clearing to future times. His Excellency (the Palatine) doth not stir yet, neither is their enemy on foot, and it is thought little will be done this summer. There is great want of victuals, which makes the Spaniard quiet: the King of Spain is said to have a fleet of 200 good ships now ready to put out. He sent for pilots and mariners from Dunkirk, who are gone over land into Spain. His preparations are supposed northwards; and if I should fear they intend for some of the King's dominions, it is the same which councillors of state are pleased to intimate, and suffer a common discourse of, for what end I know not.

It is said that Tilly (who was supposed slain) hath lately given a cruel blow to the Duke of Brunswick, but the manner we cannot certainly hear.

Sir, I sent the money you left for my son * to Cambridge, after I had laid out some for his bedding, a note of which I sent down the last week by Bellingham, who went to his sick mother; and though I have not heard from Cambridge yet, I perceive by my cousin (who had letters from his tutor) that he is well and likes the place. Sir, I must humbly thank you for the charge you are pleased to be at for his good breeding, which I shall ever really acknowledge in heart, though my lines or speech do not so often express it as I have occasion to mention him. Sir, I shall humbly desire your blessing, and rest

Your ever obedient son,

FERDINAND FAIRFAX.

Lincoln's Inn, this 9th of June, 1626.

* This was Thomas Fairfax, afterwards the Parliamentary General.

These letters present an accurate and candid statement of the actual points at issue between the King and the Parliament, and show us clearly the practical difficulties against which the latter had to contend. Results of the gravest import depended on the discretion and firmness of the representatives of the people. Parliament had declared from the first that the supply should be conditional on the redress of grievances. The King had ample notice and warning of that resolution, yet still persisted in refusing all conditions and demanding aid; declaring, in the last extremity, that if it were not granted, he should think himself discharged before God and man if any evil consequence fell out, which was much to be feared. "The King," says Sir Ferdinando, "is in his own nature extremely stiff;" and it was becoming every day more evident that there was no chance of any relaxation of the royal obstinacy.

If the Parliament had yielded in the slightest degree to the system of menaces which his Majesty pursued, the great principle for which they were contending must have perished. Had they, on the other hand, acted with rashness or impetuosity, they must have equally perilled its safety. But their conduct was regulated by so sound a judgment, that, without forcing a collision for which they were then unprepared, they continued calmly and steadily to vindicate their privileges; and always contrived, by the skill with which they shaped their proceedings, to put the King and his minister in the wrong.

The stratagems employed by Buckingham for weakening the power of the Commons had no other effect than

that of increasing their vigilance. The attempt to exclude from the House some of the ablest advocates of reform, by nominating them to serve as sheriffs—already alluded to in the case of Wentworth—was the most ingenious of these devices; but, like all the rest, it only recoiled on the Court party, and added fresh items to the bill of popular impeachment.

As the law was then interpreted, a sheriff was obliged to reside within his county during his entire shrievalty, and, as a consequence, incapable of election to serve in Parliament. Taking advantage of this, when the names of those nominated to serve as sheriffs were brought to the King, "he declared that he had the names of seven that he would have sheriffs, and so named them himself, Sir Edward Coke, Sir Thomas Wentworth, Sir Francis Seymour, Sir Robert Phillips, Sir Guy Palmer, Sir William Fleetwood, and Mr. Edward Alford, and my Lord Keeper set them down." These had been all strenuous opponents of the Court, and all struggled hard to be excused from the appointment which disabled them from renewing the warfare against prerogative oppression. Sir Arthur Ingram, writing to Sir Thomas Wentworth, says,—"You had the endeavours of your poor friend to have prevented it, but I think if all the Council had joined together in that request, it would not have prevailed: the King said you were an honest gentleman, but not a tittle to any of the rest. My poor opinion is, that there did not anything befall in the course of your life, that is and will be more honour to you in the public, who speak most strangely of it."* Sir Arthur was right in his

* Strafford's Letters, I. 29. Sir A. Ingram was enabled to give this infor-

judgment. The men thus singled out by the Court as the acknowledged objects of their fears, became the idols of the people.

Sir Edward Coke fought against his selection like a lawyer, and like a profound one too. He was pricked sheriff for Buckinghamshire, but elected, notwithstanding, as knight of the shire for Norfolk, and his was not the spirit to submit without a struggle to be deprived of the office he coveted, and thrust into one which he desired to avoid. He commenced the contest by objecting to the sheriff's oath, hitherto taken in ignorance of its signification, that it bound him to oppose "Lollardy," or the Protestant religion; and the judges to whom it was submitted were unanimous in determining that it should be omitted, as being inserted when "the religion now professed and established was condemned for heresy."* The alteration being made, Coke and the rest submitted to take the oath. Then came the question whether those elected were entitled to take their seats. The Parliament met on the 6th of February, 1626, and the King expressed a hope that a new writ would be issued for Norfolk, Sir Edward Coke being returned contrary to the tenor of the precept. The case was referred to the committee of elections and privileges, who reporting that there were conflicting decisions as to the eligibility of a High Sheriff of one county to serve in Parliament for another,

mation, as being the King's Cofferer. Bishop Goodman speaks of him as charitable and wealthy, but not as a praiser of the Court to which he was attached. Lloyd, in his "State Worthies," says that "Sir Arthur had wit in Italy, where he was a factor, and wealth in London, where he was a merchant, to be first a customer, and then a cofferer to the King."

* Croke's Reports, Car. 26.

the matter, after some further search, was allowed to rest. No fresh writ for Norfolk was issued, but the object of the Court party was attained, as Coke did not take his seat.*

At the same time that the Court took these measures for removing from the popular party its most able leaders in the House of Commons, it endeavoured to propitiate popular favour by affecting a sudden zeal for Protestantism. This was the weak point of the Commons, which had opened its first session with an order that every member should take the sacrament as a test of his Protestantism—a weakness considered in connection with the principle of human liberty for which Parliament was struggling, but a weakness, nevertheless, which, in that age, contained the secret of the strength and the coherence by which the struggle was carried to its triumphant issues. Various proclamations were issued in order to check the papal religion, and even the Arminianism of Dr. Montagu was threatened with the most pious rigour. But the leaders of the reform party were not to be diverted from their course by the baits thus thrown out by the King. They accepted the new Protestant enthusiasm of the Court in silence, and

* The House evidently considered him as member *de facto*, but not *de jure*. A sheriff may now sit even for his own county, if elected before he was appointed to the shrievalty, for he must not return himself. He may sit for any other county, and even a borough within his own bailiwick, provided it is a town and county within itself, as is the borough of Southampton.—*Johnson's Coke*, II. 174. The Earl of Bristol and the ex-Lord Keeper, Dr. Williams, Bishop of Lincoln, did not receive a summons to attend the Parliament, which called from the latter this sarcasm—"What then? Am I made High Sheriff of Huntingdonshire? Such little policies are frivolous, and may serve among huntsmen to save the life of a hare, when a few of the old dogs are tied up and not brought into the field."—*Hackett*, II. 70.

continued with unabated energy to prosecute the redress of grievances.

The Plague having passed from London, after sweeping away more than thirty-five thousand of its inhabitants, it was considered desirable to carry off attention from graver subjects by the pageantry of the coronation. But it was a dismal failure, and produced an impression all over the kingdom ominous of future evil. So exhausted was the Royal Exchequer, and so slender was the confidence reposed on the liberality of the Parliament, that although three days divided the two ceremonies, part of the usual procession was omitted "to save the charges for more noble undertakings;" an omission which was regarded as premonitory of a reign doomed to calamity and humiliation. Then again, instead of the long customary robes of imperial purple, Charles chose to assume a dress of white satin; a well-intentioned emblem of purity and of bridal union with the state, but misinterpreted to be an augury of the martyr's robe, and "that he should divest himself of his regal majesty."* Nor was this all; for the accidental breaking of one of the golden dove's wings was looked upon as "a maim of the emblem of peace," and the remarkable text selected for the occasion by Dr. Senhouse,—"I will give thee a crown of life," (Rev. xi. 10) was long after remembered as an omen of the monarch's fate; more especially as the theme of the sermon was the vanity of all things sublunary,† and was "as if the King were to listen to his funeral sermon when he was

* Heylin's Life of Laud. The coronation was on the 2nd of February, and the opening of the Parliament on the 6th.

† Fuller's Church Hist., Book XI. 121—124.

alive, as if he were to have news when he was to be buried."

Buckingham and Laud at the time thought it a triumph over the Prelate of the Tribunes, Dr. Williams, not only that he should be excluded, though Dean of Westminster, from assisting at the coronation, but that he should be made to minister to his enemy's substitution in his place. But Laud lived to rue the prominent part he assumed in that ceremony; one of the charges which brought him to the scaffold being founded upon the changes he introduced into the coronation oath. Buckingham, however, was to be the first victim; he had been warned not to exasperate the popular party; he had been warned not to be so great a pluralist of offices; he had been warned to go with the Cadiz expedition, or its failure "would be laid wholly on him;" and he had been warned not to incur the odium of ill-success by personally interfering in the hopeless negociations for recovering the Palatinate. All these admonitions he neglected; he scorned all checks to his own headstrong impulses, and he had now to learn the oft-taught lesson, that "he who wrestles with the world has his neck broken at the first fall."

The Parliament assembled, and skirmishing at once began between prerogative and privilege, by the King sending to the Commons to hasten their vote of supply. The message was peremptory and the reply evasive; the one asked for money "without more loss of time," and for a sufficient sum too; for, added the mandatory request, "we will accept no less than is proportionable to the greatness and goodness of the cause;" * the

* Rushworth, I. 219; Parl. Hist. II. 48.

answer presumed that his Majesty would first "accept the faithful and necessary advice of his Parliament." But here they were mistaken, for the King at once replied,—"I must let you know that I will not allow any of my servants to be questioned among you, much less such as are of eminent place, and near unto me. I wish you would hasten for my supply, or else it will be worse for yourselves; for, if any ill happen, I think I shall be the last that shall feel it." *

Proud and, therefore, weak words were these, of which, if remembered, he must fully have felt the folly some twenty years later. They now fell unheeded upon the ears of the Commons, and the same day Dr. Turner rose and propounded six questions, the answers to which involved the impeachment of Buckingham.† They were founded upon general report, and it was first debated whether an accusation so sustained could be entertained by the House. The argument that common fame was a good ground of proceeding was maintained by the ablest speakers on the opposition side — Noy, Eliot, Wentworth, Littleton, afterwards Lord Keeper, and his intimate friend Selden. The arguments of this last named great lawyer and lover of liberty, is a fair representation of the data on which they grounded their opinion. They were not debating, he said, whether they could impeach before the House of Lords upon common fame, but whether it justified

* Rushworth, I. 219; Parl. Hist. II. 48.

† Dr. Samuel Turner was member for Shrewsbury. Sir P. Warwick says, rather bitterly, "He (Dr. Turner, a physician,) was an inconsiderate as well as an inconsiderable courtier-dependant, familiar with, and usually divertizing the Court Lords," *Memoirs*, 16; but Wotton describes him as "a travelled doctor of physic, of bold spirit and able elocution."

inquiry, and surely it did, otherwise no great culprit could be brought to justice. He drew an apt illustration from mythology that the faults of the deities were undetected until the goddess Fame was born; and he shewed that the principle was consonant with the practice of the civil law and the canons, all accusations being brought upon report to be subsequently sustained by evidence.

It seems like a desertion of Buckingham, even by his friends, that not one state officer spoke in opposition to the motion, the Chancellor of the Duchy alone expressing a negative opinion, and that not until he had been asked.* The King was bolder; he summoned both Houses to Whitehall on the 24th of March (the day on which the first of the foregoing letters of Sir Ferdinando Fairfax was written), and, after thanking the Peers for their care of the State, told the Commons he was sorry that he could not thank them also, and then handed them over to the castigation of the Lord Keeper. His lordship did not mitigate, by any subdued expression, his annunciation of the royal opinions and intentions, but told them that the King "understood the difference between council and controlling, and between liberty and the abuse of liberty;" and, after testifying his approbation of the Duke, and his condemnation of Dr. Turner, added, "It is therefore his Majesty's express commandment that you cease this unparliamentary inquisition." Then turning to the question of supply, for which they had voted him three subsidies, and three-fifteenths, (the bill to be brought in "when they had presented their grievances and received an answer to

* Parl. Hist. VI. 438; Johnson's Life of Selden, 118.

them,") he employed language as authoritative, and by which a modern Chancellor of the Exchequer would not certainly endeavour to sustain his budget. "His Majesty commandeth that you go together, and by Saturday next return your final answer what further supply you will add to this you have already agreed to; and that to be without condition either directly or indirectly; and, if you shall not by that time resolve on a more ample supply, his Majesty cannot expect a supply this way, nor promise you to sit longer together."

Charles did not think that even this lecture was quite pungent enough, so before he dismissed these men of "irregular humours," he added "remember that Parliaments are altogether in my power for their calling, sitting, and dissolution; therefore, as I find the fruits of them good or evil, they are to continue, or not to be."*

Sunday afforded a period of calm reflection even to Charles and Buckingham, and feeling that they had been somewhat mistaken in their own temper as well as in that of the House, the Duke came on the Monday to explain and to apologise, concluding with an anticipatory vindication of himself—a vindication eloquent, specious, and, yet, which might all be true, without removing from himself the gravity of one offence with which he was charged. The necessities of the Court were so pressing that his peroration was perhaps justly upon the topic of supply—a prophetic peroration of which he did not live to see the fulfilment. "If your supply," said Buckingham, "answer not your promises and engagements to my master, you will

* Rushworth, I. 229.

make this place, which hath been in peace when others were in war, the seat of war when others are in peace." *

The Commons presented a vindicatory address to the King, and then, after a short recess, passing by these attempts to divert their efforts, pursued firmly the course upon which they had entered. The management of the Duke's impeachment, which in their journal is characterised as "The Cause of Causes," was confided to Sir Dudley Digges, Sir John Eliot, Mr. Herbert, Mr. Glanville,† Mr. Whitby, Mr. Pym, Mr. Wandesford, and Mr. Selden, with sixteen other members as assistants, and on the 8th of May, the House informed the Lords that they were ready to proceed.

But this was not the only attack directed against Buckingham's honour and life, for the Earl of Bristol, a week previously, had exhibited against him twelve articles, charging him with high crimes and misdemeanors. There now remains no doubt that Buckingham dreaded the revelation of secrets which it was in the Earl's power to make. The Earl had been his country's representative at the Court of Spain, and there is abundant evidence to show that it was to thwart the successful conclusion of his negociation of a marriage between the Infanta and Charles, that Buckingham persuaded the latter to accompany him to the Spanish Court; in that visit which, under the assumption of the romantic, never rose above the impolitic and absurd.

* Rushworth, I. 234.

† Mr. Glanville, because he had, in the previous Parliament, declared his disapprobation of the Duke, was sent as secretary of the fleet to Cadiz, "to punish him by drawing him from his profession, the law, under colour of an honourable employment."—*Remonstrance of House of Commons, Rushworth*, I. 405.

Immediately upon the return of the Earl of Bristol from his embassy, unblamed, unwarned, and without any specific charge set forth in the warrant, he was committed to the Tower. This was in 1624; but even the enmity of Buckingham failing in its lynx-eyed search after a justification for his detention, he was speedily discharged; not, however, until he had adopted the then unusual course of appealing for redress to the House of Commons. His petition was presented to the representatives of the people in a manner equally unusual, being brought to the bar of the House by his son, a child of surpassing beauty, who, though but twelve years old, made a very marked impression upon the members by the evidently genuine feeling and graceful propriety with which he announced that he was the bearer of an appeal on his parent's behalf.* Though liberated from the Tower, yet he received the royal mandate to remain at his country residence, and not to attend the Parliament. From this restraint also he appealed, imploring the King to bring him to a public trial, that he might clear his innocence or be proved a traitor; but this clear stage and no favour did not satisfy the suggestions of Buckingham's fears. The Duke would be satisfied with nothing less than a confession of error, under a promise of pardon, which would answer the two-fold purpose of shielding himself and disarming his dreaded

* This child, George Digby, afterwards second Earl of Bristol, is not the only character in history or in fiction whose life was a tissue of vacillation and inconsistency. Splendid in ability and absurd in practice; benevolent, yet the constant agent of misery to others; the chivalrous champion of honour, yet the propagator of deliberate falsehoods; the advocate of Protestantism, but a convert to the faith of Rome; the most eloquent orator for popular rights, and then the panderer to kingly prerogative.

adversary. But the Earl firmly resisted the compromise, and even James told his imperious favourite—"I were to be accounted a tyrant to enjoin an innocent man to confess faults of which he is not guilty."* Yet James went to his grave without having the courage to give the innocent man an opportunity for vindication.

The Earl, by his appeal to the House of Commons, shewed that he appreciated the rising power of the people; and seeing that with the new reign its power still flowed onwards and set still more strongly against his arch-foe, he became yet more bold in his efforts for redress. He complained to the House of Lords that his writ of summons had been withheld, and when they had sufficiently resented this infringement of "the privilege of his peerage," he again complained that with his summons he received a letter from the Lord Keeper, conveying the King's mandate that "his personal attendance upon Parliament was to be forborne,"† but he disregarded this command, came to London, and was permitted to take his seat.

Buckingham foresaw the coming attack, and resolved to secure the first pass at his adversary; but Bristol was too much on the alert to allow him to have this advantage, for early in April, and before he took his seat, he had petitioned to be heard upon "his accusation of the said Duke." Therefore, when the Attorney-General, Sir Robert Heath, attended at the bar of the House, to charge the Earl of Bristol with high treason, the Earl

* Rushworth, I. 263.

† Parl. Hist. VI. 479; Rushworth, I. 242. Another enemy of the Duke's, the Bishop of Lincoln, was also excluded from Parliament by not being summoned. He did not vindicate his right until the next Parliament, probably waiting to see which triumphed—Bristol or Buckingham.

arose and claimed that his charges against the Duke, and against the Secretary of State, Lord Conway, should have priority of hearing; "and that their lordships would not invalidate his testimony by the King's charge against him." Nor had Bristol come unprepared, for he at once tendered his articles in writing against the Duke and the Secretary, and required them to be read.*

The very first decision of the Lords indicated that Buckingham's power was declining; for they resolved that all three of the impeachments should be read, giving no more effective precedence to that against Bristol than that it should be read first. This amounted to nothing more than a mere form of courtesy, for they also resolved that though the King's charge against the Earl should be first heard, yet it should not intercept his testimony against the Duke, which was not to be "prevented, prejudiced, or impeached by that proceeding." Thus intimating that they would hear both causes before delivering their judgments on either.

The charges and countercharges were briefly these: The Duke charged the Earl with giving false information relative to the intentions of the Spanish Court regarding the alliance of the Infanta with Prince Charles; that he had persuaded the latter to adopt her religion; and that his ill-conduct of the negociation had compelled the Prince to travel to Madrid. These were trivial enough, but there were others still more insignificant and unnecessary to be detailed.

The charges against the Duke were, that he combined

* The Earl of Bristol had petitioned, on the 19th of April, to be heard against the Duke; but the Attorney-General did not impeach the Earl until the 1st of May, nor had the subject been mentioned until April 21st.—*Rushworth*, I. 258, &c.

with Count Gondomar, the Spanish Ambassador, to convey the Prince into Spain, and there to effect his conversion; that, by raising hopes of that change in the breast of the Spanish Court, he had prevented a successful termination of the negociation; and that he had promoted a correspondence with the Pope to obtain that conversion. This was the gravamen of the impeachment, for the other charges were scarcely of more public consequence than that he had disgusted the Spanish Court by his licentiousness.

When the Earl had concluded reading his charges against the Duke, Lord Spencer inquired, "Is this all?" and, finding that no more remained to be enforced, he rejoined, "Then, if this be all, *ridiculus mus est.*" Lord Cromwell, anxious to retail this witticism, hastened to the House of Commons, and finding Lord Spencer's youngest son, inquired, "Dick, what is done in your House to-day against the Duke?" "My lord, he is charged with high treason." "High treason! Dick," replied Cromwell, "if this be all, *ridiculus mus!*"* But the retailed witticism now failed in its application, for the charges preferred by that House were of a deeper import than Bristol's compound of personalities and misdemeanors. They involved trafficking in the sale and purchase of public offices, in which "money stood for merit;" neglect of official duty; extortion; delivering our Navy into the hands of the French; misemployment of the public revenue; and administering forbidden medicines to the late King.† The Earl of Bristol had

* Hamon L'Estrange's Hist. 29.

† The last charge seems to have excited Buckingham's fears so much, that an information was preferred against him in the King's name in the Star

moved that, to reduce them to equal terms, the Duke should be committed to the same custody as himself—that of the Usher of the Black Rod; but the House of Commons resolved to apply for his committal to the Tower; without waiting for which, however, on the 8th of May, they opened their impeachment, and during three days it was urged upon the attention of the Lords with that learning and eloquence which such men as Digges, Glanville, Selden, Pym, and Eliot had at command. Of these, Sir Dudley Digges and Sir John Eliot were the most impassioned and severe. To the first was intrusted the proëm of the charges, and to the second their peroration. It is said, when Sir Dudley came to name the common cause of the country's distress and discontent—"which, as in one centre, met in one great man"—that the patriot senator paused; but it was a pause of emphasis, not of trepidation; and after enumerating the titled trappings of him he bearded in his stronghold—trappings sufficient to fill more than one page of a herald's volume, he poured forth that bold sketch and condemnation, for which the Court showed its resentment and its weakness by committing him to the Tower.

Of all the speeches, that of Sir John Eliot was the most able and most pungent; but we can find space only for these, its concluding passages:—

Chamber, wherein he was charged, amongst other things, with this offence of administering medicines unwarrantably to King James. The Duke put in his answer, and several witnesses were examined; but the Duke was assassinated before a judgment. It is obvious that none but friendly witnesses were examined, and the whole was intended to give the Duke the advantage of the plea of *autrefois acquit*. Upon this point of our national history I have spent much research, and yet remain in doubt whether the evidence preponderates for or against the charge.—*Johnson's Life of Selden*, 251.

"Your lordships have an idea of the man; what he is in himself, what in his affections. You have seen his power, and some, I fear, have felt it: you have known his practice, and have heard the effects. It rests, then, to be considered what, being such, he is in reference to the King and State? How compatible or incompatible with either? In reference to the King he may be styled the canker in his treasure; in reference to the State, the moth of all goodness. What future hopes are to be expected, your lordships may draw out of his actions and affections.

"I will now see, by comparison with others, to what we may find him likened. I can hardly find him a match or parallel in all precedents, and none is so like him as Sejanus, who is thus described by Tacitus:—'Audax, sui obtegens, in alios criminator, juxta adulator et superbus.' To say nothing of his veneries, if you please to compare them, you shall easily discern wherein they vary; such boldness of the one hath lately been presented before you as very seldom or never hath been seen.* For his secret intentions and calumniations, I wish this Parliament had not felt them, nor the other before. For his pride and flattery, it is noted of Sejanus that he did 'clientes suos provinciis adornare.' Doth not this man the like? Ask England, Scotland, and Ireland, and they will tell you. The pride of Sejanus was so excessive, as Tacitus saith, that he

* Buckingham had dared to attempt an intrigue with the Queen of France, when he visited Paris to escort back to England Henrietta Maria. There is too much reason to believe his advances were encouraged. It is quite certain that the French King's jealousy was aroused, and that Buckingham was forbidden again to visit his Court.—*Mémoires de Motteville*, I. 231; *Cabala*, 253; *Bassompierre*, *Clarendon*, *&c.*

neglected all council, mixed his business and service with the Prince's, seeming to confound their actions, and was often styled 'Imperatoris laborum socius.' How lately, and how often, hath this man commixed his actions, in discourses, with actions of the King's?

"My lords, I have done; you see the man! only this which was conceived by the knights, citizens, and burgesses, should be boldly by me spoken:—That by him came all these evils; in him we find the cause; and on him we expect the remedies; and for this we met your lordships in conference; to which, as your wisdom invites us, so we doubt not but in your wisdom, greatness, and power, we shall, in due time, find judgment as he deserves.

"I conclude by presenting to your lordships the particular censure of the Bishop of Ely, reported in the 11 Richard First, and to give you a short view of his faults. He was first of all voted to be luxurious; secondly, he married his own kindred to personages of highest rank and places; thirdly, no man's business was done without his help; fourthly, he would not suffer the King's council to advise in matters of state; fifthly, he grew to such a height of pride, that no man was thought worthy to speak unto him; and, lastly, his castles and forts he confided to men obscure and incapable. His doom was this—Through the entire island was it publicly proclaimed that he should perish who had hastened all things to decay; that he should be overthrown lest he should overthrow all." *

The impression made upon the peers by these addresses

* Periat qui perdere cuncta festinat, opprimatur ne omnes opprimat.—*Rushworth*, I. 360.

was deep and lasting, and they were proportionably obnoxious and irritating to Buckingham and the King. "By comparing the Duke to Sejanus," said Charles, "he must intend me for Tiberius;" * but instead of making allowances for the fervour of the advocate, and permitting the path to justice to be trodden unhindered, the King condescended to mingle in the struggle, and descending from his throne of ultimate appeal, to be an unjust and tyrannical partisan even in this opening inquiry.

At the conclusion of the impeachment, and before Sir John Eliot and Sir Dudley Digges had left the House of Lords, they were beckoned from its floor, and committed to the Tower upon warrants issued by the Privy Council.† Nor was Charles satisfied with this flagrant breach of the liberties of Parliament. Entering the House, almost as soon as the arrest had been perpetrated, he mingled in the proceedings as a herald of his own despotism, and as a witness for his favourite—"I have thought fit," he exclaimed, "to take order for punishing some insolent speeches lately spoken. I have been too remiss, heretofore, in punishing such speeches as concern myself. Not that I was greedy of their money, but that Buckingham, through his importunity, would not suffer me to take notice of them, lest he might be thought to have set me on, and that he might

* MS. Letter. D'Israeli's Charles the First, I. 329.

† Sanderson's Life of Charles I. 45. "Not only were they imprisoned, but their lodgings searched and papers seized. They were liberated, however, at the end of a few days, the judges having declared that the arrest was illegal; but, to gratify the resentment of the Court, under some petty pretext, Eliot was detained in prison some days after Digges had been discharged."—*Rushworth*, I. 366.

come the forwarder to his trial. And to approve his innocency as touching the matters against him, I myself can be a witness to clear him in every one."*

Sufficiently ill-judged and indecorous was it for the King thus to throw his weight openly into the balance to favour Buckingham; but his conduct bore a still more malignant aspect, when the same great influence was employed to the prejudice and embarrassment of his adversary Bristol. He asked the Lords not to proceed *pari passu* in their two cases; he endeavoured to indict the Earl in the Court of King's Bench, because, as the law stood, he could then have no counsel, could call no witnesses against the King, and would not be allowed to know beforehand what charges and evidences were to be exhibited against him; and, further, the King asked that the Earl should not be permitted the aid of counsel. In all these efforts to effect a wrong Charles was foiled, and the answer of the Lords to one of these applications may be taken as their answer to each—"The liberties of the House will be thereby infringed; the honour and justice thereof declined."†

Nothing daunted, the House of Commons required that Buckingham should be committed to safe custody; they refused to proceed with any other business until their two members were released; they voted that neither of them had exceeded the commission given them by the House; and they passed a censure upon Cambridge University for electing Buckingham as its Chancellor, at the very time of his impeachment.‡

There is no doubt that that election was sought for as a demonstration of the opinion entertained in his

* Rushworth, I. 361. † Ibid. 271. ‡ Ibid. 376, &c.

favour by those in whom centered the learning and piety of the realm. But it failed in its object; for although the King had made known his wish to the University through the Bishop of Durham, that they should elect the Duke, and although all the Court influence was actively employed in his favour, and only four days were allowed to elapse between the death of the late Chancellor and the election of the new, the Earl of Berkshire, who was nominated without his own knowledge, obtained 103 votes, and Buckingham no more than 108.* Such victories as these were in the last degree disastrous to the King.

But his Majesty, blindly rushing upon destruction, despised the trumpet-tongued warnings which reached him from all quarters. By this decision of the University, the opinions of the Clergy were published to the kingdom; the Commons had already proclaimed the resistance of the people to the despotism of the Throne; and now came a resolution of the House of Peers, which put upon record the hostility of the last Estate of the realm, upon whose allegiance the Sovereign would have calculated in the last emergency. The Church, the Aristocracy, and the People were against him. There was nothing left but to retreat upon the army. But there was much to be done yet before he was driven to that desperate resource.

The circumstance which drew the Lords into direct collision with the Sovereign, was the arrest of the Earl of Arundel by the King, who, proceeding, as usual, with a lofty contempt of the privileges of Parliament, committed that gallant nobleman to prison, without

* Rushworth, I. 376.

condescending to assign any cause for so tyrannical an act. But the cause was well known, and it was not of a nature to qualify the indignation of the House. The Earl of Arundel had married his eldest son, Lord Maltravers, to the sister of the Duke of Lennox, a lady who had been destined by Buckingham and the King for the heir of the Argylls, a politic alliance, by which they hoped to heal the feud that existed between those families.* This monstrous interference with the liberty of the subject, on a point of such tender interest, excited universal discontent; and the arrest of the Earl—especially upon such grounds—more nearly touched the Peers, as a violent breach of their privileges. Negotiations were immediately opened on the subject, and their lordships finally entered a resolution to suspend all public business until satisfaction of the outrage should be made in full. The Earl was at length released, but not until the 8th of June; and on the 15th the King revenged himself, after his own fashion, by dissolving the Parliament.

In vain did the House of Peers, in a just and temperate remonstrance, offer to the King their "loyal and faithful advice to continue this Parliament." Like himself, and all other Stuarts, he was now firm when he should have yielded; and the hasty reply was, "No, not for a minute." He was implored to give audience to the whole House, to advocate the course their

* In truth the match, one of mutual affection, had been concocted between the Countess of Arundel and the Duchess of Lennox. At first the liberty of the Earl and his Countess was merely restrained to their own house at Horseley, in Surrey. Lord Maltravers and his wife were committed to the custody of Archbishop Abbott, at Lambeth.—*Sir E. Walker's Hist. Discourses*, 213; *Rushworth*, I. 367.

remonstrance suggested, but the reply was, "I am resolved to hear no motion for that purpose." * So the commission was issued, the Parliament was scattered, and the King, in a declaration, stated, what all England already knew, that he had dismissed the two Houses because, instead of voting subsidies, they "neither did nor would attend to anything but the prosecution of one of the peers of this realm."

The House of Commons answered this by publishing the Remonstrance which they had prepared to present to the King, if he had not avoided it by the dissolution. That remonstrance, couched though it was in language unexceptionable, has in it all that unsoftened utterance of truth, and that stern forewarning of purpose, which foretold that the time was coming, when either the interests of the people must be more regarded than those of the royal kindred and courtiers, or that they would be struggled for in a fiercer encounter.

Among other memorable and premonitory words, it told the King "that if any do so ill an office as by the misrepresentation of the state and right of your Majesty's loyal subjects, to advise any such 'new counsels,'† as the levying of any aid, tax, or subsidy, among your people, contrary to the settled laws of your kingdom, we cannot, most gracious Sovereign, but esteem them that shall so advise, not only as vipers, but pests to their King and commonwealth. And we shall, for our parts, in Parliament, show, as occasion shall require, and be ready to declare their offences of this kind such as

* Sanderson's Life of Charles I.; Rushworth, &c.

† This was a quotation from one of the King's threatening messages.

may be rewarded with the highest punishments your laws inflict on any offenders." *

To this there could be found no answer; therefore a proclamation was issued, commanding all copies of it to be burnt, with the ever futile intention "that the memory thereof might be utterly abolished." † And still further to evince that they now intended to rule as they pleased, and that they were kept from wrong only so long as they were compelled to do right, Charles and his minister—for they comprised the government—had Lord Arundel placed once more under arrest, and the Earl of Bristol again committed to the Tower. No delay could be endured in this: they were re-imprisoned the very day the Parliament was dissolved. Private resentment might now be indulged, tyranny might disport itself—Charles was freed from his Parliament—Buckingham was saved—and this was their ovation.

* Rushworth, I. 408. † Ibid. 416.

CHAPTER II.

Letters between Sir Thomas Fairfax and his son Ferdinando—Thomas Fairfax, the Parliamentary General—Letters between the Rev. H. Fairfax and Mary Cholmeley—Her Epitaph—Illegal Taxation—Popular Opposition—Drs. Sibthorp and Abbot—Expenditure of the Supplies—Letter from Sir W. Constable to Sir F. Fairfax—Arbitrary Proceedings—Punishment of those who refused to advance money—Illegality of the Imprisonments—John Selden—The Judges—Chief-Justice Crew displaced—Sir John Eliot—Letters to the Gentry of England—Secret Instructions—Letter of Lord Fairfax to the Lords of the Council—The Poorer Classes summoned to London—Buckingham attempts to debase the Coinage—Letters of Sir J. Ogle and Lord Exeter to Sir T. Fairfax—Expedition against Rochelle—Buckingham is accused of Treachery by the Duke of Rohan—Dissatisfaction of Army and Navy—Their Outrageous Proceedings—Stagnation of Commerce—Sir Robert Cotton's Advice.

DISAPPOINTED of his election in Yorkshire, Sir Thomas Fairfax sat down quietly at his estate of Denton, occasionally visiting London on business, and occupying himself chiefly with family affairs. The pursuit of a peerage had not yet entered into his thoughts; nor does it appear, from certain somewhat obscure allusions in the letters of this period, that his private circumstances would have justified such an extravagance at that time. The expenses of the election, which must have been considerable, had probably drained him of his ready money, and thrown him in advance of his income. However that may have been, it is clear, from the following letter, written soon after the meeting of Parliament, in 1626, that he had contemplated a second marriage, with a view to retrieve his finances, and that

the design was frustrated by some malicious interference, which he laid to the charge of his son. The letter is interesting also on account of the reference made in it to the son of Sir Ferdinando, afterwards destined to occupy so large a space in the Civil War, and the Restoration.

TO MY LOVING SON, FERDINANDO FAIRFAX, KNIGHT, AT THE BOLT AND TUN, IN FLEET STREET, NEAR STRAND BRIDGE.

I HAVE received your letters by the last carrier, together with Mr. Boswell's advice, and am willing to do in the same so much as God hath made me able; but I conceive the profit (in regard of your son's youth) will not recompense the charges. I will refer this to my friends of better judgments. You know I did intend a way by my marriage to have done good to you and yours, but what your part was in that both you and I know. But since the loss and shame is wholly fallen upon yourself, I think you are punished sufficiently; and for the untrue aspersions laid upon me, I neither feel or regard them. And as one (whom you flatter) said truly, that he did admire my moderation, so I thank God that I have not the mind to lay such a cross upon my house, as now to take fault for the like. I will say no more, but I am sorry for you and your children, who must suffer in it.

I purpose, God willing, to go shortly to London, and to bring your son up with me, and to dispose him into this or some other course for his education as I shall be advised there. Your letters you shall not need to require their safety; I am careful enough. When I shall

receive the 20*l.* which you told me you directed Lawson to repay me, I will send you such monies as you have disbursed for me; in the meantime, let me know so often as you can how things go there, and what you hear of the payment of privy seals. Many be delivered in these parts, and I not forgotten.

I pray God bless you that you may be a comfortable father to your many poor children. I would have dissuaded your expenses in going to the Parliament, but that I hoped you had some more profitable intention.

Your loving father,

Denton, last of March. T. FAIRFAX.

To the charge of having defeated the projected marriage, and thus injured not only his father's fortune but his own expectations, Sir Ferdinando returns an anxious but respectful reply, asserting his entire innocence, and challenging his accusers to the proof. His vindication may be relied upon. Of all men he had the least capacity for intrigue. Sir Ferdinando was evidently a person of honest intentions, and a plain understanding. He was the most prosaic and literal of all the Fairfaxes, and possessed none of those brilliant elements of character by which most of the other members of the family were distinguished in various ways. But his integrity—even in the smallest things—seems to have been unimpeachable. His father hit off his pretensions with sufficient precision, when he said of him—"He makes a tolerable country justice, but he is a coward at fighting." This opinion, however, must be accepted with a qualification; for Ferdinando had not yet stepped out of his justice's chair to take the command of the troops in the north.

TO THE RIGHT WORTHY MY VERY GOOD FATHER, SIR THOMAS FAIRFAX, KNIGHT, AT DENTON, THESE.

SIR,

IF there were no accusations there needed no excuse, and where those are stirred it behoveth every man to be sensible and careful to quiet—much more a son who ought to clear what he knoweth himself innocent of, or groan under the burthen which may be justly laid until the mercy of the offended father shall grant ease; I must, therefore, in general, humbly crave your pardon, and beg your leave to give my excuse, which, if it may satisfy, I shall think myself most happy in; if not, yet it is some ease to me to unburthen that heart which could not rest with so deep a charge, but that it feels the comforts of its innocency, and can smile at the envious madness of any false accuser. Be pleased therefore, under my hand, (which, if it prove false, may remain for ever a witness against me), to know that I never did any act, or lay any aspersion to hinder your marriage, which I did never see you intended but where I might well have thought not only myself but our poor family happy by the conclusion; and truly, Sir, though I feel shame and loss, I hope it is not for my sin in that particular. Neither know I any carriage of mine in that business which will not endure the hardest touch; and I must justify when I shall understand the charge, the which I cannot yet so much as dream of. I do not know who that man is you are pleased to say I flatter, and to make him the judge in my behalf of your moderation upon such injuries offered. Truly, Sir, I could never yet attain to so much courtship as to flatter the

most deserving, much less any more unworthy. I think virtue cannot well endure to hear it; and, though it be indeed the proper food of vain humours, it is not every one will serve it up. Whosoever that man be, I shall appeal from him or any other judge to yourself, well informed, and shall account it a greater blessing to be indifferently heard in my answer than the benefit of any estate or patrimony which ever any father left to child without it.

Sir, my letter concerning my son, I think, did not press, neither was Mr. Boswell's advice sent to move your charge, further than you were pleased of your own free bounty to make known before; and if I had been wanting in performing any duty here which might further your aim in it, I might justly have conceived myself in much more danger of blame: a rock I have ever endeavoured, with the best of my poor wits, to avoid, and have not meddled without plain directions, and even then with much doubting. Sir (I humbly thank you for the favour), it is true when I came up I willed Lawson to repay you the 20*l.* I borrowed, the first monies he got, which I assured myself would be within two months. I have now writ to him again to be careful of it, and beseech you think it not my neglect. This, Sir, I am forced to write in answer of your lines, lest, without excuse, your disfavour should increase against me, which (upon what grounds soever) were to me a great grief, and when I shall know my accuser, which all just courts do allow, and fathers usually permit to their children, I think I shall not be found guilty of so foul a crime.

Sir, I writ lately that my Lord Scroop was content

to ease all the Deputy Lieutenants of the county, since which he did more explain himself, and said he meant only those that made certificates for the loan, and no others. But a late petition, presented by Alderman Belt for York, gave occasion to others to move the Lord Lieutenants for the county, and have taken away the better half, in the whole, and at least two parts for the West Riding, the sum being now agreed on to be but 4000*l.*, out of which the West Riding, without York, is to pay about 1700*l.*, which was before about 5000*l.* Thus, Sir, humbly desiring your blessing, I will pray for your happiness and rest.

Your humble and obedient son,

FER. FAIRFAX.

Strand, this 8th of April, 1626.

The son of Sir Ferdinando, mentioned in the preceding letter, became, in after life, the celebrated Parliamentary general, Thomas, third Lord Fairfax. He was born at Denton, the family seat, in 1611, and was therefore in his fifteenth year at the date of these letters.* His grandfather's proposed scheme of education was to send him to St. John's College, where he afterwards matriculated. But his stay in Cambridge was brief, for within three years we find him serving in the army with Sir Horace Vere before Busse, a service

* The following entry was in his father's Bible :—"Memorandum. That the 17th day of January, 1611, being Friday, was born at Denton, Thomas Fairfax, the eldest son of Sir Ferdinando Fairfax, and was christened in the chapel at Denton, the 26th of the same ; the Right Honourable Edmond Lord Sheffield, Lord President and Lord Lieutenant in the north, and Sir Thomas Fairfax, of Denton, Knight, grandfathers and godfathers of the said child, and the Lady Ursula Bellasis, great aunt to the said child, was godmother."—*Fairfax MSS.*

which led him to much closer connection with his general's family.

Henry, the second son of Sir Thomas Fairfax, appears in the correspondence about this period. He entered the church, and was presented with a small living in the gift of his father, who had nothing better to bestow upon him. Henry Fairfax is described in a passage, which we shall presently quote, as a man of exemplary piety and learning; and the current of his life ran so tranquilly amidst the distractions of contending parties, as to furnish a touching episode in the family history. The provision his father was able to make for him was slender enough for his own wants; and the difficulties of his position were aggravated by that incident which, in most men's lives, gives pause for prudential considerations. He had fallen in love with Miss Mary Cholmeley, a lady whose Christian virtues admirably adapted her to the station of usefulness she afterwards filled, but who was unluckily as deficient in fortune as he was himself. In this exigency, the last hope of the lovers depended upon the liberality of Sir Thomas; and in the following letter, without a date, the lady expresses her fears, that, should their reliance in that quarter fail, they will both have reason to lament their unhappy attachment.

TO MY ASSURED LOVING COUSIN, MR. HARRY FAIRFAX, GIVE THESE.

BLESSED GOD, bless our designs, prosper our intentions, and consummate our desires, to his glory and our comforts, if it be His blessed will. I am glad to

hear your father is so well pleased, and wish to see him at York, where I hope by good advice to procure the best means to move him for a jointure, which, God knows, is so needful for me to demand, as I fear, if it be denied, we shall both wish you had not thought me worthy the titles of (dear love); for so dear you are in my esteem as I assure you you have no cause to doubt the continuance of my firm affection. I pray you, if Sir Ferdinando Fairfax be pleased to go to Whitby to my brother Cholmeley, concerning my portion, intreat him to speak to Sir Thomas Fairfax earnestly to desire my brother Scott to go with him. I could say I wish to see you, but the weather is so unseasonable, and the ways so dangerous, by reason of waters, as I will not desire it. I will wear your ring till you take it from me. Humbly beseeching Almighty God to be with us, I commit you to His gracious protection, that guides my heart unfeignedly to desire myself entirely yours,

MARY CHOLMELEY.

My mother remembers her love to you, with many thanks for her Christmas provision. My sister Scott commends her kindly to you.

How the application to Sir Thomas turned out does not appear; but it is to be hoped that he found the means of putting the lovers at their ease, for they were soon afterwards married, and withdrew into their peaceful seclusion, where, to the end of their lives, they displayed the same pure spirit of devoted affection with which they had looked forward to their union. A short

letter from Mrs. Fairfax to her husband, during his absence on a visit to London, written several years after their marriage, shows that their attachment had suffered no abatement from time.

TO MY EVER DEAR LOVING MR. FAIRFAX, PARSON OF ASHTON, GIVE THESE: LONDON.

MY EVER DEAREST LOVE,

I RECEIVED a letter and horse from Long, on Thursday (Jan. 31), and will use means to send Procter's horse to Denton. I did not so much rejoice at thy safe passage, as at that blessed and all-sufficient guide, whose thou art, and whom I know thou truly servest, that hath for a small time parted us, and I firmly hope will give us a joyful meeting. Dear heart, take easy journeys, and prefer thy own health before all other worldly respects whatsoever. Thy three boys, at Ashton, are well; thy little Harry is weaned; all that love us pray for thy safe return. I pray you beg a blessing for us all, for I must needs commit you to His gracious protection, that will never fail us nor forsake us.

Thine ever,

MARY FAIRFAX.

Ashton, Feb. 2, 1632.

The following entry in the Fairfax MSS. contains a summary of the simple biography of the worthy rector of Bolton Percy.

"Mr. Henry Fairfax had his education in Trinity College, Cambridge, where Dr. Duckett was his tutor. He was Fellow of the College at the same time that Mr. George Herbert, of the same college, was Orator of

the University, with whom he was familiarly acquainted: their dispositions were much alike, and both very exemplary for learning and piety. Entering into holy orders, he cheerfully accepted of a small living at Newton Kyme (whereof his father, the Lord T. Fairfax, was patron), which, after, he resigned for Ashton, in Lancashire, at the desire of Sir George Booth, but soon returned back to Newton, and having married the virtuous and pious Mrs. Mary Cholmeley, there they lived most lovingly together many years; and all the time of the civil wars, from 1642 to 1646, their little Parsonage-house was a refuge and sanctuary to all their friends and relations, on both sides. From thence they removed to Bolton Percy, the living being void by the death of Dr. Stanhope, where his dear wife died, Anno 1649, and is buried in that church. My Lord Thomas Fairfax lived in the same parish, at Nun-Appleton. In the year 1660, he removed to his own house at Oglethorpe, and there spent the remainder of his life, as he ever did, in a pious solitude. His notes upon the Bible, and other papers, at Denton, do show his learning and diligence in reading that sacred book and the ancient fathers. His recreation was antiquities and heraldry. Thus he lived to a good old age, his conscience void of offence towards God and man. He died at Oglethorpe, April, 1665, and was buried at Bolton Percy, near to his dear wife. Quorum memoria in benedictione, Ætat. 77."

This notice of the life of the Rev. Henry Fairfax may be appropriately dismissed with the following affecting tribute, which he inscribed to the memory of his wife:—

M.S.
MARIÆ FAIRFAX
QUÂ LONGUM GLORIA SEXÛS
ET GENERIS CERTABAT HONOS
CERNIS UT INSOLESCIT SPLENDETQUE MARMOR
INGENTIS DEPOSITI CONSCIUM
NIHIL TAMEN HABET PRÆTER INVOLUCRUM GEMMÆ
QUAM HENRICUS CHOLMELEY DE ROXBY ORDINIS EQ.
EX CATHARINÂ COMIT. CUMBERLAND FILIA SUSCEPIT
IN VIRTUTUM CONCEPTACULUM
UNDE FORMÂ MORIBUS INGENIO FIDE CLARÂ
SCRIVENU AD KNARESBURG NATALIBUS
EBORACUM GENIALI TORO
QUADRUPLICI PROLE VIRUM
INNOCENTI Â VITA GENTEM
ET FERALI POMPÂ BOLTON-PERCVM HONESTAVIT
UBI PLEURITIDE COMPTA AD PATRES ABIIT
8o. KAL. JAN. 1649
ÆTAT. SUÆ 56
HENRICUS FAIRFAX ALTERÂ SUI PARTE SPOLIATUS
PRÆSTANTISSIMÆ CONJUGI
PIETATIS ET AMORIS ERGO
LUGENS POSUIT.

Returning to the public events of the time, we find that the only legitimate means of raising money for the public service being now again dismissed, recourse was had to a loan, a benevolence, arbitrary duties upon merchandise, and other modes that promised to supply the necessaries which were urgent. From these illegal imposts the people still resolutely withheld obedience, and the Court party, to mitigate the popular opposition, applied for aid to the clergy. In many instances they unwisely acquiesced, and one of their body, Dr. Sibthorpe, in an Assize sermon preached at Northampton, ventured to maintain that "the King

might make the laws, and do what he pleased." Dr. Abbot, Archbishop of Canterbury, refused to license the printing of this sermon, and for such refusal was suspended.* It was finally published, bearing Dr. Laud's *imprimatur*, but this, and many other pulpit invocations to obedience, failed in obtaining contributions to the royal treasury.† The number of gentry who refused to pay any tax unsanctioned by Parliament was very large, and they were, for the most part, firm, even to the endurance of distant and long protracted imprisonment, rather than submit to the payment, though some few yielded to compulsion. These loans, combined with imposts upon merchandise, and the sale of monopolies, raised considerable, though insufficient sums. The supplies thus illegally raised were as unfortunately expended in a disastrous expedition against the Isle of Rhé, which, though undertaken professedly to support the French Protestants, was, in reality, a suggestion of the Duke of Buckingham to chagrin his enemy Cardinal Richelieu, references to which, and to proceedings before the Privy Council, against those who refused to subscribe to the loan, are in the following letters :—

* Rushworth, I. 439.

† The permission to print the sermon was, in the first instance, signed by Dr. Worral, Laud's chaplain ; but after-reflection making the Doctor dissatified with his acquiescence, he sent the sermon to Selden, requesting his opinion on its contents. In a private interview, Selden told Dr. Worral that "he had given his sanction to a work full of erroneous principles, which, if they were true, would abolish all ideas of *meum et tuum*, and leave no man in England possessed of property. When the times shall change," added Selden, "and the late transactions shall be scrutinised, you will gain a halter, instead of promotion for this book." Poor Worral immediately erased, with great care, his subscription to the licence ; but Dr. Laud was less fearful, so he signed the *imprimatur*, and the sermon was published under the title of "Apostolical Obedience."—*Rushworth*, I. 439.

FROM SIR WILLIAM CONSTABLE TO SIR FERDINANDO FAIRFAX.

SIR,

I HAVE a very fit opportunity by this bearer, but can yet give you little account how things go with us, save only that we arrived here (very well, I thank God) on Tuesday morning, and entered our appearance with the clerk of the council that day; the next day we attended, and only Sir Beauchamp St. John was called, and so committed, who had been attending there before, and we now remain in the same state with those who have attended some of them these six months. But it is thought that the council will not continue to sit here longer than the end of the next week, so that it is like something will be said to us before that time; perhaps to-morrow, being a council day, since some of the council take notice of our attending. Mr. Chancellor of the Duchy (Sir H. May) coming from the council the last day, was pleased to entertain some discourse with us, and to read a long lecture to us of our error in not hearkening to his moderate advice in the Parliament.

There is speech every day of a general confining of all those that are committed, but, as yet, only some few whom you have heard of, that, by reason of sickness, have made suit for it, are confined: there are many of the other (especially all those that are in the Fleet) that have a resolution not to accept of a confinement in that manner as it is tendered, that is to say, not except their warrant do leave them as prisoners with the sheriffs; lest by that means they should bar themselves of the benefit of a *Habeas Corpus*, which, it is said, cannot be

denied them the next term, or might have been the last term if it had been demanded; by that means they look to have a judicial trial in the King's Bench, whether they have committed any offence or no.*

I shall shortly let you know more: The bearer, Sir W. Hildyard, can let you know all the news that is; there is nothing yet known of our great Fleet; he can tell you of my Lord of Canterbury's confinement,† and of my Lord Peter's son and his business, which might have proved a worse cause, but may perhaps find a more favourable interpretation than ours. The prisons are the only merry places in the town, and the air, as the matter is now used, is one and the same to all. So God send us a good meeting.

Yours,

WM. CONSTABLE.‡

White Hart in the Strand, July 19th.

* This objection to be *confined* instead of being *imprisoned*, arose from the Court party arguing, that though the latter treatment of those who refused to contribute to the loan would have been illegal, yet that their confinement was justifiable. The learned John Selden, who argued for their discharge, passed by the technical distinction without a difference, and grappled with the Attorney-General on his own ground. "I will admit," said Selden, "that confinement is different from imprisonment, and, therefore, it is against law. I know of no punishment that is unnamed in our statutes, law books, or records, and this confinement is there unmentioned."

† Dr. Abbott was suspended and confined to his house at Ford, near Canterbury, for refusing to license Dr. Sibthorpe's sermon already mentioned.

‡ Sir William Constable, of Flamborough, in Yorkshire, married a daughter of the first Lord Fairfax. He sat in the Long Parliament, as member for Knaresborough, commanded a regiment of foot, was governor of Gloucester during the Civil War, sat as one of the judges on the trial of Charles the First, and signed the warrant for his execution. He died in 1655.—*Wood's Fasti Oxon.* I. 205.

Sir W. Constable was one of the many who refused to contribute to the loan. For the *Habeas Corpus* to discharge him and other refusers from prison, Noy, Bramston, Calthorpe, and Selden, four of the most learned lawyers of the day,

These arbitrary proceedings to enforce the advance of money, unsanctioned by law, were followed up with the most violent severity. Those of the higher classes who refused to submit to the levy were summoned before the privy council, and if they persisted in their refusal, were directed to proceed to some place distant from their own homes and not to remove thence without permission. Many of them, as remarked in Sir W. Constable's letter, required that they should either be imprisoned or discharged entirely, as in that case they might apply for a writ of *Habeas Corpus*, and have the opinion of the Court of King's Bench upon the legality of the punishment. The Court, in every instance, complied with the request for imprisonment; and the Fleet, Marshalsea, and Gatehouse prisons were thronged with the loan recusants.

We have already noticed that some of the principal prisoners had their cases argued upon the returns to their writs of *Habeas Corpus*.* The illegality of these imprisonments is beyond the shadow of a doubt. "The question," said Selden, "is, whether any subject or freeman committed to prison, and the cause not shown in the warrant, ought to be bailed or delivered? I think, confidently, that he ought."† But the judges had been coerced into the opposite doctrine. They had all been

argued incontrovertibly; but, taking warning by the fate of Sir Randolph Crew, who had been ejected from the Chief Justiceship for objecting to the loan, the judges decided against their release, and they were remanded to prison.—*Whitelock's Mem.* 8.

* They were Sir John Corbet, Sir Thomas Darrel, Sir Walter Earl, Sir Edward Hampden, and Sir John Heveningham.—*Rushworth*, I. 432—462.

† Johnson's Life of Selden, 134. The arguments are abstracted in *Rushworth*, I. 463.

called upon to subscribe to the loan, and to add to it their signatures, in testimony of their approval. They subscribed, but withheld their signatures; yet they recommended the payment whilst on circuit, with the exception of Sir Randolph Crew, who, by way of reward for his independence, was immediately displaced by Buckingham.

The five gentlemen having failed in their application to the judges, others refrained from a similar appeal; yet Sir John Eliot resolved, by petition direct to the King, to assert the principle, that resistance to the loan was founded upon "duty to religion, justice, and the King." This appeal was not, of course, expected to prevail; and Lord Clifford only stated a generally known fact when he told Sir T. Wentworth, "None dare move the King in the behalf of any gentleman refuser; for his heart is so inflamed in this business, that he vows a perpetual remembrance as well as a present punishment." *

The gentry of England were honoured individually with letters attested by the Privy Seal, specifying the exact sum his Majesty insisted upon borrowing; but those of smaller estate were commanded to appear before and pay their loans into the hands of certain local commissioners. The secret instructions to the commissioners were significant: he that for subsidies was set down as having 100*l.* of personal property, was to lend 100 marks; and "he that is set down as worth 100*l.* in lands, to lend 100*l.* in money,"—a just distinction that does not obtain in modern property taxation. But, like the modern obnoxious course of procedure, the

* Strafford's Letters, I. 38; Rushworth, I. 433.

commissioners were a man's own neighbours, and their inquiries were directed to be similarly inquisitorial. They were "to use all possible endeavours to cause every man willingly and cheerfully to lend;" but those who were refractory were to be examined on oath whether their refusal had been suggested by any one, and the names of such suggesters and recusants were to be transmitted to the Privy Council forthwith.*

These precautions, these assize lectures, these persecutions and pressures, these pulpit descants upon "rendering unto Cæsar the things which are Cæsar's," all failed in producing the desired contributions. Whole districts and whole counties agreed in the common-sense conclusion that all was not Cæsar's that Cæsar was pleased to demand. Dorsetshire, London, Yorkshire, and many other local divisions, were thus obdurate.

On Sir Thomas Fairfax, as one of the Deputy Lieutenants of the county of York, developed the odious task of ascertaining the people's means and willingness thus to contribute to the royal treasury, and the following, endorsed "A copy of a letter sent to the Lords of the Council, signifying what was done concerning the four subsidies demanded by the King's letters," tells us the result :—

* Rushworth, I. 422. The Benchers of Lincoln's Inn refused to promote the loan, or to return a list of the recusants. Sir Peter Hayman, one of the most uncompromising of reformers, was sent on a frivolous embassage at his own expense, into the Palatinate, for a similar offence. "Give I would not," are his words, "so I settled my troubled estate, and addressed myself to that service." *Ibid.* 528.

RIGHT HONOURABLES,

MAY it please your good Lordships to understand that upon the receipt of his Majesty's letters dated the 7th of July, and directed to the Justices of Peace within the county of York, importing his Majesty's desire to have that supplied by the free gift of his subjects which was intended to be given by the last Parliament, towards the defence of his Highness, ourselves, and for the common safety of our friends and allies, and of our lives and honours, according to our bounden duty we did assemble the inhabitants of Claro* (that division in the West Riding wherein we dwell and usually do serve), to whom we not only read his Majesty's letters, but enforced the necessities of supplies with our best persuasions, pursuing the articles inclosed in his Highness's letters as punctually as our capacities could conceive them. But after some silence of the people, and every man refusing to speak for himself, they required a conference; which had, they did all (but one man whose offer was unworthy the mentioning) agree in the negative, pleading their poverties and alleging the occasions of their wants, which is by the late dearth of corn, the present dearth of cattle, and the want of trade in this poor part of the country, much of it consisting of a barren forest. Whereunto they did add, the great numbers of armies imposed upon them, lately renewed, and their charges of training the soldiers; and some, in our private persuasions, complained of the great charges towards the relief of certain towns in this division, and the great cost that year. Lastly, they did

* Claro, one of the districts of Yorkshire.

mention the late payments of the subsidies, as well to his Majesty of blessed memory deceased, as to his Majesty now reigning—yet all, with much alacrity, expressing in their words their forwardness to defend his Majesty with their lives, and with their goods when God shall enable them. Thus, sorry that our endeavours have had no better success, we most humbly take our leave.

Knaresborough.

The oppression inflicted upon "the common sort" of loan recusants was more grievous even than what the gentry were made to suffer, for they were directed "to appear in the military yard, near St. Martin's-in-the-Fields, before the Lieutenant of the Tower of London, to be there enrolled as soldiers, that they who refused to assist with their purses should serve with their persons in the common defence."*

Even in these days of facilitated travelling, such a mustering from distant counties, and for the able-bodied, would prove most distressing; but to the aged and the infirm in that era of ill-conditioned roads, it must have been tenfold harassing. Besides, it afforded to the government no aid: it brought unwilling soldiers and an increased demand for accoutrements, upon an already bankrupt exchequer. Customs, benevolences, threats, entreaties, monopolies, were all tried, in vain, to obtain that sufficient revenue which the Parliament refused to commit to the disbursement of one whom they justly hated and mistrusted. Then, the self-defeating policy of issuing a debased

* Rushworth, I. 426.

coinage was resorted to, and Buckingham, without consulting the rest of the council, actually had 60,000*l.* worth of base shillings put into circulation. At the command of the King, Sir Robert Cotton demonstrated that the depreciation of the currency was a measure of short-sighted expediency and fatal to commerce. In vain did Buckingham interrupt him with the impertinent query, "Are you come hither to instruct the King and council?" The King appreciated the soundness of the reasoning, the debased money was recalled, and the Master of the Mint received the reprimand which should have fallen upon the duke.*

Charles, great always in distress, curtailed his expenses, at all times moderate; reduced his establishment, sold his plate, and mortgaged his Cornwall lands. We are asked for sympathy with the participators in these royal deprivations, and no Englishman worthy of the name can be actuated by any sterner feeling as he contemplates Majesty thus humbled and afflicted. But let no injustice mingle with our sympathy, and let us temper our regret with the remembrance, that he endured these deprivations only because he did not choose even so far to listen to his people's complaints, as to let his pampered favourite stand the issue of a trial.

But other events, fast and disastrous, crowded upon this year of the King's commencing sorrows, some of which, requiring further details, are noticed in the two following letters :—

* Mr. D'Israeli says that the speech attributed to Sir T. Rowe on a similar occasion in 1640, by Rushworth, was really the paper prepared by Sir R. Cotton in 1627, and is printed in Howell's edition of that antiquary's posthumous works.

TO THE HONOURABLE KNIGHT, MY VERY WORTHY AND MUCH RESPECTED FRIEND, SIR THOMAS FAIRFAX,

ONE OF THE DEPUTY LIEUTENANTS FOR YORKSHIRE, AT DENTON.

NOBLE SIR,

I DO not wonder as you do, that you have not heard from me in reply to yours all this while. It is neither want of respect or affection (for I can be no changeling to so noble a friend), but something else that makes me more backward in writing, than otherwise I would be, to all my friends; and upon this short apology I will presume of your pardon, as I have done thus long of your patience, and so come to tell you what is told me of others. The Duke of Buckingham (you hear, I am sure) is gone with the fleet and army to sea, whither we are not yet sure. The conjectures are as formerly; the most voices run upon the Islands of Rhé and Oleron in favour of Rochelle, and to this enterprise should a party in France, as also of Savoy put to their helping hands, of which two kinds of assistances some discoursers here have no great opinion; but there is nothing as yet that we can say is certain, more than that they are at sea, which is so infested on all sides with takers (I will give them no worse name) that many doubt there will be ere long an universal solstice among the merchants, and that trade will be at a stand.

The King of Denmark, by his ministers and power at sea, parleyed with our Hamburgh fleet, (I mean our cloth ships, which are judged to be worth 200,000*l.*), upon such terms as, after four or five days' conference, they were dismissed with good contentment; but yet such, as it is doubted whether they will send again any

more or no. The Prince of Orange received the honour of the Garter presently before his going into the field, but no feast kept because of one that invited himself, and whose company was not compatible with some others; this was Monsieur l'Ambassadeur de la France.

There is a speech that he (the prince) should be before Lingen, and Count Ernest before Groll. I dare not say, yet I fully believe it; if it be, it is upon the advantage of Count Henry Vandenberg his absence with 12,000 men, horse and foot, sent up to the assistance of Tilly, and so they may either obtain those places if he stay long, or draw him quickly back to the succour of the besieged: for the Marquis Spinola (they say) is not of force enough to confront the Prince's army, neither (if he have men enough) dare he bring them together, through want of money and victual. Some add that the Archduchess is gone to the other world, and that her death will bring such an irresolution to the dispatch of affairs, as that the Prince of Orange may have an advantageous opportunity given him for his, but I hear no second confirmation of her death. Of the continuance of your wished health, I long to hear a second relation, but yet set no time, but leave it to your own good leisure, as I do myself to your good opinion and favour, and us both and all our affairs to God's gracious protection, resting very faithfully and firmly, though myself am but weak in power,

Your humble and constant friend and servant,

JOHN OGLE.*

London, July 4th, 1627.

* Sir John Ogle had been Lieutenant Colonel under Sir F. Vere, and his narrative of the battle of Nieuport in the Netherlands is appended to "Vere's Commentaries."

Here are new listings of officers and levies of men determined for to follow the Duke's grace, besides 2000 out of Ireland. God send them such success as they may return with contentment to the King and country.

TO MY HONOURABLE FRIEND SIR THOMAS FAIRFAX, KNIGHT, AT DENTON, D. D.*

As I was glad to receive a letter from you after many expectations of your coming, so I should have been more glad to have had your company here, but in the mean time I am sorry to hear that the small pox and hot fever both are in your house; yet when you shall think fit to come I shall never think it out of season to bid you heartily welcome. I think fit to let you know that I stay here but one fortnight longer at the most, for I do suspect that the accidents of these times will give me occasion to draw nearer to the Court. My Lord Duke hath recovered the honour of our nation, by his most noble carriage in the overthrow of the French, who are now blocked up in the fort of St. Martin, and besieged by the English with twenty pieces of battery by land and thirty by sea playing upon them. Monsieur Thorax, the French general, hath propounded terms of peace by a letter to my Lord Duke, expressing the desire that the French have for our amity; but those propositions are not embraced, being imagined but means to procure their freedom from the danger they are now in. The Duke of Rohan is in arms, with 10,000 foot and 500 horse; the Duke of Montmorency hath put himself into Montpellier, and refuses to come

* D. D.—Dono Dedit.

to court; the Duke of Savoy is taking up arms, and Count Soissons makes his party with divers other princes, all for the defence of them of the religion; and, which increaseth their troubles the more, the King of France is either dead or without expectation of life. And so committing you to God's keeping, I rest

Your assured loving friend to do you service,

EXETER.

Snipe, the 13th of August, 1627.

The Earl of Exeter was premature in his exultation, for the success attendant upon the first landing of our troops was succeeded by a series of reverses, consequent upon every bad quality but cowardice that could centre in a Commander-in-chief. Let the vanity be pardoned which delighted in the misplaced accompaniments of velvet hangings, pompous music, gorgeous litters, and caterings for a pampered appetite, even though they rendered the outfit in a Frenchman's eyes (De Brienne) more like that of an amorous knight than of a general; but no available excuse, since winds were fair, can be found for a month's loitering between Plymouth and Rochelle: less for not pursuing the first advantages with energy; less for remaining three months totally inactive; and still less for that disgraceful rout in which forty standards, two thousand men, and very many of our best officers were lost. It is needless, totally needless, to quote authorities relative to this most signal defeat which British troops ever sustained from those of France, because all who have written upon the subject agree that greater errors were never crowded into one campaign. It was the Walcheren expedition of Charles's reign; being, as Denzil Hollis told Sir Thomas Wentworth,

"ill begun, worse conducted in every particular, and the success, accordingly, most lamentable. Nothing but discontents between the general and the worst understanding of his soldiers, as Burroughs, Courtney, and Spry;* everything done against the hair, and attempted without probability of success. There was no hope of mastering the place from the very beginning, especially since Michaelmas, when a very great supply came at one time into the fort, and that since they relieved it at their pleasure. Yet, for all this, the Duke would stay, and would not stay; doing things by halves; for had he done either and gone through with it, possibly it could not have been so ill as it is. He removed his ordnance, and shipped it almost a month before he raised the siege, yet still kept his army there, fit neither for offence nor defence; and, at last, the Saturday before the unfortunate Monday he came away, would needs give a general assault, when many good men were lost, there being no ordnance to protect them going on or coming off." — "The Duke carefully got himself on board that night, to prevent the worst, (the body being without a head) and to take order for boats for shipping the army."†

Escaping with a frightful slaughter, and "enfeebled by sickness and want," the expedition made sail on its return to England, and, as it entered Plymouth Sound, met the long expected reinforcement weighing anchor, under the Earl of Holland. It may be that that succour

* Sir John Burroughs, Sir George Courtney, and more than twelve other officers of distinction were killed. The best narratives of the expedition are in Baker's Chronicle, Ed. 1679, p. 438, and Rushworth, I. 430—446.

† Strafford Letters, I. 41; Rushworth, I. 430.

had been unnecessarily delayed, but this concurrence of ill-management affords no excuse for the gross misconduct at Rochelle. The Duke endeavoured to throw the blame upon his Council of War, a safe allegation, considering that most of them slept the soldier's death-sleep on the field they had bled to save from disgrace. But some survived, and these "spake somewhat loudly of other miscarriages at Rhé, pleading much on the behalf of the Council of War."* Of these survivors Sir Henry Spry was one, and his words are memorable. Holding his wife impassionedly in his arms, he told her of those who had died by his side, rather than submit to the imputation of cowardice cast upon them by the Duke's party, adding, "I am returned to thee safe, yet my heart is broken, and I care not to outlive their memory." And this leads us to one of those "other miscarriages." The Duke, rash, inexperienced, and presumptuous, had dared to differ, throughout, from all the most tried and practised officers who were in command under him. Sir John Burroughs, from the very first, counselled the Duke "never to put spade into the ground (in the Isle of Rhé) but to re-embark and undertake some other design."† Yet he spurned the advice, and had goaded such men as that warrior of many fields to die, rather than survive under his implications of cowardice. One more of those "other miscarriages" was that worse than frittering away of opportunity and secrecy, which had no other motive than a spurious craving for a

* Rushworth, I. 470.

† Harl. MSS. 383, Lett. 435. Sir J. Burroughs, and other veterans who fell, had earned a well-deserved reputation in the Netherlands.—*Epistolæ Hœlianæ*, 201, &c.

renowned courtesy—a vanity dearly gratified by disgrace to our arms, and the slaughter of one-third of the assembled troops.

It is a gracious feature of modern warfare that adverse soldiers will aid each other to slake their thirst when picqueted on a stream's opposite banks; and that the wounded enemy receives an equal care with a wounded friend; for such courtesies mitigate the, at best, hellish concomitants of war. But it wears another aspect, if, whilst other soldiers are suffering privations, the rival generals interchange presents of melons and orange flower-water;* and is madness, or something worse, if one sends to bid the other farewell, and to inform him when he intends to withdraw his forces. This savours too much of treachery to permit a plea of folly to be its excuse, and if we look for evidence to sustain this suspicion of the blackest conduct being among those "other miscarriages," we need not rest satisfied with mere hints. It would be difficult upon any fair ground to explain why the ships sent by the inhabitants of Rochelle for provisions, should be placed under an embargo in our harbours;† and the Duke of Rohan openly accused the Duke of Buckingham of treachery at Rochelle, in compliance with her request whom we have already noticed he dared criminally to love. Richelieu induced the French King to take advantage of this desire for intrigue, and, at his suggestion, the Queen wrote "an obliging letter" to the Duke, assuring him that if he would let Rochelle fall, without assisting it, he should be permitted to visit France, and settle a peace with the Protestants according

* Howell's Hist. of Lewis XIII. 82. † May's Hist. of the Parliament, 9.

to their edicts. Rochelle was deserted; "but finding next winter that he was not permitted to enter France, but had been abused with a false hope, the Duke resolved to have followed that matter with more vigour, when he was stabbed by Felton." *

Whether he was worse than incapable, at present remains a problem, but the consequences were the same. The people of England, already fermenting with discontent, were rendered further dissatisfied by this national disgrace, and the sorrow which it diffused throughout the land; for few were the houses who had not to mourn for the loss of some near relative. Pillage and riot in its worst forms were added to this other sorrow; for, to use the words of one, no enemy to the Stuarts and their friends, "an army and a navy had returned unpaid and sore with defeat. In the country, the farmer was pillaged, and few could resort to church, lest, in their absence, their houses should be rifled. London was scoured by seamen and soldiers, roving even into the palace of the sovereign. Soldiers without pay, form a society without laws. A band of captains rushed into the Duke's apartment, as he sat at dinner, and, when reminded by him of a late proclamation, forbidding all soldiers coming to court in troops, on pain of hanging, they answered that "whole companies were ready to be hanged with them; that the King might do what he pleased with their lives, for that their reputation was lost, and their honour forfeited, for want of their pay to satisfy their debts." A mob of seamen obtained a promise of their pay from the King himself; exhibiting, a scaffold on Tower Hill,

* Burnet's Hist. of His Own Times, Book I.

where they said the Duke should have been, in the event of their demand being refused. It was said that 30,000*l.* would have satisfied these dangerous claimants, yet the Exchequer could not afford even that mean sum.* But distress and poverty were not confined to the unpaid military; our commerce was entirely at a stand; we had rushed "into a new and precipitate war against the two great monarchs, even at the time when our own monarchical government seemed in dispute at home," and the chief ports of Europe were closed against us.† The consequences are not drawn from imagination, but stand on record in a letter from Denzil Holles, intended only for Sir T. Wentworth's private perusal. "Since these wars, all trading is dead, our wools lie upon our hands, our men are not set on work, our ships lie in our ports unoccupied; land, sheep, cattle, nothing will yield money; not to speak of the soldiers ravishing men's wives and daughters, killing and carrying away beeves and sheep off the ground, (stealing of poultry was not worth the speaking of), killing and robbing men upon the highway, nay, in fairs and towns (for to meet a poor man coming from the market with a pair of new shoes, or a basket of eggs or apples, and take them from him, was but sport and merriment), and a thousand such petty pranks, come a dozen of them to a justice of the peace and Deputy Lieutenant's house, and make my lady give them five or six pieces to be gone. Why, we western lads respect not such things as these, so we have war

* D'Israeli's Hem. of Charles the First, II. 77. This cannot be the truth, for nearly 200,000*l.* was owing for naval expenses alone, of which 61,000*l.* were for seamen's wages.—*Rushworth*, I. 470.

† Warwick's Memoirs, 23.

and be in action, for, as you say, our prizes make amends for all!"*

These unpalatable and menacing truths were well known to the Court party, and yet so sensitive were they of censure, that although the Isle of Rhé was commonly called "the Isle of Rue, for the bitter success we had there,"† yet a lady was restrained of her liberty for making use of the distasteful witticism within the audience of courtly ears; and the King's physician was as severely treated, for only alleging our loss was greater than the Duke of Buckingham was pleased to admit. This enforced silence preserved the King from dissonant comments, but it brought no relief. Defeated, beggared, and with every plan and every subterfuge for aid exhausted, the King and his advisers were bankrupts even in expedient.

In this dilemma they wisely had recourse to Sir Robert Cotton. Deeply read in our constitutional history, the judicious and confidential adviser of James the First, and though acting with the reformers in the last Parliament as the representative of Westminster, yet always as careful of the royal prerogative as of the people's liberty, no wiser selection could have been made when seeking for a guide to a more just policy. His faithful advice testified that the confidence was not misplaced. He pointed out the necessity of obtaining the affections of the people as well as their money, aptly quoting Lord Burleigh's apothegm, "Win hearts, and you have their hands and purses." Speed in the supply was as desirable as its abundance, and no compulsory measures would secure this. "I find not," said Sir Robert, "that

* Strafford's Letters. I. 40. † Howell's Letters, 201.

the restraint of the recusants hath produced any other effect, than a stiff resolution in themselves and others to forbear." He candidly narrated the just grounds on which the suspicions against the Duke of Buckingham, and that papists were favoured, had been grounded; our fatal foreign expeditions "which the more temperate spirits impute to want of council, and the more sublime wits to *practice*."* He commented upon the loss of the Palatinate, at Cadiz, but not at Rochelle, for this was too sufficiently and acutely felt to need more specific pressure than was in the words—"our late misfortunes and losses of men, munition and honour." The remedy advised, then, was an immediate assembling of the Parliament; yet the state-physician was too faithful whilst he thus advised the King, that he must expect many things to "disturb the smooth and speedy passage of his desires," not to warn him also from sacrificing the unpopular statesman; "for," were his concluding words, "to expiate the passion of the people at such times with the sacrifice of any of the King's servants, I have found no less fatal to the master than to the ministers in the end;"—a truth which kings might do well to have inscribed over every portal of their palaces, and in attestation of which, Charles, by his own fate, eventually afforded another memorable example.

* *Practice*—Wicked or cunning negotiation.

CHAPTER III.

Sir Robert Cotton's advice adopted—The Loan Recusants restored to Liberty—Twenty-seven returned to Parliament—Letter to Lord Fairfax—Popular feeling against the Court Candidates—Elections for Westminster and Yorkshire—Parliament assembles—The King's unconciliating Speech—Parliament persists in demanding Redress of Grievances—Silence relative to Buckingham—Enquiry for the Bishop of Lincoln—Lord Keeper Coventry's evasive Reply—Petition for a General Fast—Billeting Soldiers—Encouragement of Catholics—The King's impatience—Commons resolve that Redress of Grievances and the Supply shall not be separated—Five Subsidies voted—Sir John Cooke bearer of the good news to the King—Buckingham's expressions of pleasure distasteful to the Commons—Sir J. Eliot—The King anxious for Payment of Subsidies—Petition of Right—The King endeavours to evade the Bill—Influenced by Buckingham—The Commons again denounce the Duke—The Speaker's absence from the House—Charles yields his assent to the Bill—Joy of the Commons—Bill for payment of Subsidies passed—Commission empowering the Lord Keeper and others to raise Money—Opposed by the Commons—Question of Tonnage and Poundage—The King prorogues Parliament—Order to reprint Petition of Right—Charges against Buckingham—Neale and Laud—Titles of the Duke—Dr. Mainwaring fined and imprisoned.

THE sound advice so fearlessly given by Sir Robert Cotton was accepted without any apparent resentment at the time, and was promptly adopted. On the 29th of January, 1628, the writs were issued, summoning a Parliament to meet on the 17th of March. These were preceded by orders from the Privy Council, directing those gentlemen to be restored to liberty, who were then suffering various degrees of restraint as loan

recusants. Among them were Sir John Strangeways, Sir William Armin, Sir Nathaniel Barnadiston, Sir Maurice Berkley, Sir Thomas Wentworth, Sir John Wray, Sir William Constable, Sir John Hotham, Sir John Pickering, John Hampden, Sir George Ratcliffe, Sir Walter Earl, Sir Harbottle Grimston, Sir John Corbet, Sir John Eliot, and Sir John Heveningham. These, and about sixty others, were released, not soon enough to mollify their remembrance of protracted unjust imprisonment, yet just in time for them to arouse afresh popular indignation on the hustings.* Twenty-seven of them were returned to Parliament. This was ominous of stern opposition to the Court, evincing that the people were not pacified by the tardy concession; and it could not be expected that those who were oppressed and imprisoned yesterday, would be forgetful of the wrong and the suffering, when to-day they were asked for aid by their oppressors.† All classes, indeed, united to resent the late despotic measures of the Government, and their hate was especially concentrated upon the Duke of Buckingham. Conscious of his unpopularity, he retired, with his sovereign and protector, to a distance from the metropolis, where neither riotous apprentices nor mutinous sailors were likely to approach.

The following unsigned letter, but apparently in the handwriting of Thomas Herbert, Esq., relates to some of these proceedings:—

* Rushworth, I. 477.

† Yet the most aggrieved by the Court were not among its most implacable enemies. Sir John Corbet and Sir Walter Earl were secluded from the House of Commons for voting, in 1648, that the King's answers were a ground for establishing peace.

TO THE RIGHT HONOURABLE AND MY EVER HONOURED LORD, THOMAS, LORD FAIRFAX, AT YORK, THESE.

RIGHT HONOURABLE,

THE King and the Duke are now at Newmarket, and for any report that I hear resolve to stay there till the Parliament begin. The mariners behaved themselves so insolently towards the Duke, that he and my Lord of Holland wounded divers of them, insomuch that since that time the Duke, dining at the Lord Mayor's, was guarded thither and to the Court with a strong company of musketeers, doubting some outrage should have been offered by them. The citizens have chosen their knights and burgesses, which were of them that suffered for the loan; they have with great disgrace rejected the recorder, who prescribed for this election since the Conquest, but for all that antiquity, they would not endure to have him in the nomination, for they find he hath relation to whom they do not affect. They have elected for knights, Aldermen Moulson and Clytherowe; and for burgesses, Captain Waller and one Brunti (?).

In Middlesex, they have chosen Sir Francis Darcie and Sir Henry Spiller, against whom the Parliament men already elected, are displeased, and do give out that Sir H. Spiller shall be no Parliament-man. The privy seals are all called in, and the King hath declared himself, by proclamation, of the certainty of the beginning of the Parliament. The Ambassadors for the State have had audiences, and have been roundly dealt with, all for their league with the French, but they have resolutely answered both the King and the Lords, in respect they saw no hope to have any support from

home; for such states as depended upon us are come to ruin, and, therefore, having such potent adversaries, it behoved to make themselves strong, and concluded with a great expression of love to the memory of Queen Elizabeth, who had raised them from a pea to a nation, and defended them in all fortunes. The Venetian Ambassador is yet here; the news upon the Exchange is that the plague is in the French King's army before Rochelle, and in the navy by sea, and rageth so strongly amongst them that the King is drawn to Paris, and his army thirty miles into the land, and the Spanish ships are gone home.

They report likewise that the Emperor and Spanish King make great preparation to besiege the Sound in Denmark, the King whereof and the King of Sweden have made strong alliance, and is providing great and warlike defence at Copenhagen; and, thus making bold to inform your lordship of such passages as are here, I humbly take my leave, ever being

Your lordship's servant in all dutiful affection.

London, the 24th of February, 1627.*

The stern popular feeling which induced the citizens of London to cast aside their accustomed representative to make way for others, who would firmly oppose that illegal taxation and restraint of liberty, by both of which they had suffered, was not confined to the metropolis. It pervaded England, and successfully raised opposition even in some of the strongest holds of the Court party. In those days Westminster was considered absolutely under the Royal influence, and Buckingham calculated that his candidate, Sir Robert Pye,

* 1628, *New Style.*

in conjunction with Sir Robert Cotton, was sure of his election. But he had now to learn that the intelligence and wealth of the middle classes, when roused to combined activity, have a will, setting at defiance all mere arbitrary dictates. "A Pye!" "A Pye!" the husting's cry of one party, was drowned beneath the responses of "A Pudding!" "A Pudding;" and, after a severe struggle, the Court candidates found that their popular opponents, a grocer and a brewer, had a considerable majority. In the counties, the results were similar, but it must suffice to quote Yorkshire only as an example. This had ever been a Royalist county, and even in later days it was one of the northern districts on which Charles relied most for support; yet even here his candidate, Sir John Savile, "of large local influence," was defeated by Sir Thomas Wentworth and Sir Ferdinando Fairfax; a triumph which even Sir Henry Savile, from his retirement at Netherley, came forth to celebrate. He wrote thus on the 12th of March to Sir Thomas Wentworth,—"I could do no less than congratulate with you in your triumph even over my own great kinsman; of whom, for anything I can hear, you and your company made small reckoning by your usage of him on all sides. I hear the city (York) murmurs and petitions against the son's election. If we be cast out, both of town and country, in good faith our case will be lamentable, and, I fear, without your pity. I wish you all good fortune, and happy success in your mighty proceedings above. It will be a vain thing to give so much as the times require, unless you take order for the well disposing thereof." And this last opinion was that entertained by an overwhelming majority of the House of Commons. That majority, a

contemporary historian, by no means friendly to their proceedings, confesses was no vulgar party casually predominating, when he states that the members of the Commons possessed wealth far exceeding that of the Upper House, and we know that they were at least equals in ability.*

On the 17th of March, 1628, the Parliament assembled, and if Charles intended his opening address to be propitiatory, his idea of the art of conciliating senators somewhat differs from that entertained two centuries later. After warning the members that delays were to be avoided in times requiring activity, and that "tedious consultations" would be as hurtful "as ill resolutions;" and after alluding to the dangers environing the country, he thus concluded:—"Every man now must do according to his conscience: wherefore if you (as God forbid) should not do your duties in contributing what the State at this time needs, I must, in discharge of my conscience, use those other means which God hath put into my hands to save that which the follies of particular men may otherwise hazard to lose. Take not this as a threatening, for I scorn to threaten any but my equals, but as an admonition from him that, both out of nature and duty, hath most care of your preservations and prosperities." . . . "I will only add one thing more, which is—*To remember a thing, to the end we may forget it.* You may imagine that I came here with a doubt of success of what I desire, remembering the distractions of the last meeting; but I shall very easily and gladly forget and forgive what is past, so that you will at this present time leave the former ways of distractions, and follow

* Sanderson's Life of Charles I. 106.

the council lately given you, To maintain the unity of the spirit in the bond of peace."

In similar bad taste, (an irritating offer of forgiveness to those who were themselves the aggrieved) and with an urgency for money, unaccompanied by any excuse or regret for past extravagance, failures, and oppression, the Lord Keeper Coventry, to use the King's own expression "paraphrased upon the same text," closing with this by no means emollient sentence,—"His Majesty is resolved that his affairs cannot permit him to expect aid over long."*

The Commons, however, were resolved not to confess themselves formerly in error, by adopting a course differing from that for which the last Parliament had been dissolved. They persisted in demanding a redress of grievances, before they would proceed to grant the requisite supplies. This difference only is to be observed in the debates during the early part of the session—the Duke of Buckingham was not even mentioned. So great a contrast was this silence to the strong denunciations of him in the last Parliament, that a modern historian has supposed that there was an agreement between the King and the Commons that he should not dissolve them so long as they abstained from an attack upon his favourite minister; but such a surmise is too unsustained to be insisted on longer than no other explication can be found for the phenomenon, and this explication can be developed without difficulty.

The members of the Commons had learned from experience that to attack the Duke was to insure their own dissolution, and they also knew that though he was the instigator of the grievances and abuses under which

* Rushworth, I. 484.

the people suffered, yet that these grievances might be obviated without attacking their author. They knew, too, that the safety of the commonwealth required the provision of certain monies for State purposes, and they were anxious to vote these before they jeopardised their existence as a Parliament. They acted accordingly, succeeded in their intentions, and proved by the result the accuracy of their anticipations from the past, for they presented a bill for five subsidies, with a remonstrance against the Duke, on the 16th of June, and within ten days the King closed the session!

The House of Lords were less compromising even than the Commons. Three of their members, Lords Arundel, and Bristol, and Archbishop Abbot, had been freed from their various imprisonments, and took their seats in the House at its first meeting. But still its benches lacked one most powerful member, and Lord Clare rose to inquire "wherefore the Bishop of Lincoln was absent," and "whether this bishop had a writ sent him?" The Lord Keeper replied in the affirmative, but without revealing the further truth, that the writ had been accompanied by a letter forbidding his attendance in Parliament. The bishop's reply declined obedience until he had been well-advised that he ought to obey that letter "before his own right, which by the laws of God and man, he might, in all humility, maintain;" and the peers resolved him from all doubt, by ordering his attendance to preach before them on the 6th of April.*

* Hacket's Life of Williams, II. 77, &c. The Peers and the ex-Lord Keeper, by thus setting the King at defiance, only enforced by example what had previously been placed before him by precept—"Rule by your laws," said Williams, "and you are a compleat monarch: your people are both sensibly and willingly beneath you; but if you start aside from your laws, they will be as saucy with your actions as if they were above you."

At its first meeting, and after the recess, the Parliament, considering the state of the Protestants in France, commenced by petitioning for a general fast; a course, however consonant with the suggestions of sober and religious minds, not at all in unison with the thoughts and desires of the King and his courtiers. Charles granted their petition, but was sufficiently petulant and ill-advised to accompany his acquiescence, on another occasion, with the scoffing remark, that "certainly fighting will do the Reformed Churches more good than fasting." *

The grievances and oppressions to which the people had been so long subjected, and which have been particularised during the current of our history, came now in detail before the House, and before the searching inquest of special committees.

The billeting of soldiers, "a new and almost unheard of way" of supporting soldiers, and occasioning the outrages enumerated in the letter of Mr. Denzil Hollis, already quoted, was the subject of an early petition to the King, but it met with no other reply, than "I shall make answer in a convenient time;" joined, however, with a scarcely courteous admonition to grant a speedy supply, and that "time was not to be spent in words," because, added his Majesty, "it calls fast on you, and will neither stay for you nor me." †

The toleration and encouragement shown to professors of the Roman Catholic faith was another subject for address to the throne; and though it finally received a reply dictated by a spirit much more worthy of a Christian and a statesman than the petition to which it responded, yet at first the answer was made

* Rushworth, I. 663. † Ibid. I. 551.

chiefly an occasion again to urge on an early grant of money on the ground "that as we pray to God to help us, so we must help ourselves, for we can have no assurance of his assistance if we do lie in bed and only pray:" a truth too flippantly suggested, and, as usual, upon the most unsuitable of occasions, for there was no one act of the Court then viewed with more distaste by the rising spirit of Puritanism than the favour shown by the Queen and her parasites to foreign Papists—a favour attended by such political inconveniences that even the King was obliged to eradicate the annoyance.

Then followed the most important of all the inquiries, that which sought for a relief from forced loans, and personal protection to those who refused to have their money thus extorted! Every proceeding connected with that despotic mode of exaction was tinctured with illegality and fraud. Levied by an unwarranted stretch of the prerogative; enforced by illegal modes of punishment; and sustained by decisions which all constitutional lawyers condemned, Englishmen must have been dastards indeed not to have risen as one man demanding redress. Even the Court lawyers shrunk from the contest, and strove to strengthen by fraud the weakness of their cause. Selden, as chairman of the committee, reported that the Attorney General, Sir Robert Heath, had prepared the draught of a judgment, and pressed the clerk of the Court of King's Bench to enter it as if it had been passed by the judges, when Sir E. Hampden and others had moved to be discharged under writs of Habeas Corpus as loan recusants. The clerk and the judges alike refused to allow such an entry to be made in the records; but it was not until about a week before the meeting of Parliament that Mr. Attorney fetched

away the copy; and the mere attempt, though passed over with a silence that intimated consciousness of strength as much as scorn, must have given a more keen edge to the indignation of those who were closing with the authors of the injustice.*

The King impatiently urged by repeated messages that the vote of a supply should be expedited, but it was not until the 7th of April that the Commons came to a decision as to the amount to be granted; and then it was resolved that remedies for their wrongs should be assented to by the King before they would thus render him independent of them. We have seen that this was no needless precaution, inasmuch as that so soon as Charles obtained a supply he had dismissed the Parliament; and that a similar result was foreseen was openly intimated by more that one member in the course of this debate. "Two legs go best together," said Serjeant Hoskins; "therefore I desire that our just grievances and our supply may not be separated. By presenting them together, they shall be both taken or both rejected." Five subsidies, about 350,000*l.*, were voted; a small sum in the budgets of modern financiers, but in the time of Charles there was no national debt, and he observed, in a transport of gratification, "it is the greatest gift that ever was given in Parliament." Sir John Cooke was the bearer of the joyful intelligence, and, privileged by his good tidings, when the King asked "by how many voices were the subsidies gained?" Mr. Secretary

* Parl. Hist. VII. 385; Sir J. Napier's MSS.; Johnson's Life of Selden, 139. Sir E. Coke significantly observed, upon the Attorney General's recent recal of his manuscript judgment, that "a Parliament brings judges, officers, and all men into good order."

replied, "May it please your Majesty—but by one." "How many were against me?" said the King; and the unexpected reply—"None, for the consent was one and general," is said to have affected him even to tears.*

The privy councillors were assembled forthwith, and the agreeable intelligence communicated to them. All joined in the pecuniary pæan. Charles said "he liked Parliaments at the first, but since, he knew not how, he was grown to a distaste of them, but now he was where he was before; he loved them, and would rejoice to meet with his people often." Buckingham was also in ecstacies. Sir Robert Cotton had advised that he should seek opportunities to evince zeal for "the public unity and content," and the present occasion was available for a demonstration. He appears to have reduced to writing the expression of his rejoicings over the subsidies, and this was read by Sir John Cooke to the House. It began thus:—"Sir, methinks I behold you a great King, for love is greater than Majesty. Opinion that the people loved you not had almost lost you in the opinion of the world; but this day makes you appear as you are, a glorious King, loved at home, and now to be feared abroad."—Thus far was well; but the addition of the insincere verbiage—"I, who have had the honour to be your favourite, may now give up that title to them (the Parliament); they to be your favourites, and I to be your servant;" and the impertinence of asking the King now to view the Commons with favour, were not topics likely to sound harmoniously in the House, much less that sentence of double aspect, "This is not the gift of five subsidies alone, but

* Rushworth, I. 531; MS. quoted by Mr. D'Israeli.

the opening of a mine of subsidies that lieth in their hearts." Private contemporary letters state that the Duke also offered to reduce his multitudinous honours and appointments, by resigning the Mastership of the Horse to the Marquis of Hamilton, the Wardenship of the Cinque Ports to the Earl of Carlisle, and the Lord High Admiralship to such officer as Parliament might recommend ;* but we may conclude that there was not much sincerity in his proffer of resignation, since he retained all the offices down to the hour of his assassination.

This sugared communication to the House from the Duke did not lure its members even to a courteous return : it could no more deceive than could the leopard's fawning towards its hunters ; and Sir John Eliot, whilst rejoicing in the King's message, inquired "by what fatality or infortunity the mention of another in addition to his Majesty had crept in ?" and after an eloquent outburst against those who stepped in between the King and the Parliament, indignantly expressed a hope that "such interposition might be let alone, and that all his Majesty's regards and goodnesses towards the House might be spontaneous."† Though the subsidies were voted, the vote was indefinite, and so anxious was the King for a period of payment to be fixed, that he desired the House not to adjourn for a recess at Easter. This unusual interference with the privileges of the House was acknowledged and disregarded, Sir Edward Coke observing, "the King makes a prorogation, but the House adjourns itself." As little attention was paid

* Sloane MSS. 4177, Letter 490, &c. ; D'Israeli's Charles the First, II. 95.

† Rushworth, I. 532 ; Ephemeris Parliamentaria ; Napier MSS. &c.

to a request to turn the vote of supply into an Act, and the rejoinder made by Sir Thomas Wentworth, was still more firm and determined. "When we set down the time for payment, let us be sure the subject's liberties go with it hand in hand. This is the way to come off fairly, and prevent jealousies;" and, consonant with this advice, it stands on the journals of the House, "Resolved, that grievances and supply go hand in hand."

This hastened the concurrence of all to the Petition of Right. The conferences and debates in both Houses were tedious and erudite upon all its clauses. Sir Edward Coke, Mr. Selden, Mr. Littleton, and other grave lawyers, maintained the consistency of its provisions with the great charter of our liberties and the common law of the land. And though the Attorney General shook his head in marked objection to their arguments and precedents, yet Coke pledged his credit as a lawyer, that "it lay not under Mr. Attorney's cap to answer any one of them." That officer of the Crown, however, did no discredit to his cause by his reply, and it is with regret we read that his coadjutor, Serjeant Ashley, was committed to the custody of the Serjeant at Arms, for arguing too strongly in favour of prerogative power, intimating that it was subject only to divine control.

Charles felt, and all his advisers felt, that reason and precedent were alike in favour of the Petition of Right, yet it shackled the prerogative too much to be agreeable to Stuart conceptions of kingly power, and, as a last resource, he called both Houses to his presence, acknowledged the correctness of their views regarding the subject's liberty, but asked them "to rest upon his royal word and promise that he would maintain all his subjects

in the just freedom of their persons and safety of their estates." If sincere, why did Charles object to the Petition of Right which enacted no more? And Sir T. Wentworth, with as much reason as sarcasm, replied, "Though never Parliament trusted more in the goodness of their King, as far as regarded themselves only, than the present; yet we are ambitious that his Majesty's goodness may remain to posterity, and we, being accountable for a public trust, desire to vindicate the subject's right by bill, in which is no more than are laid down in former laws, with some modest provision for instruction, performance, and execution." *

This is neither more nor less than a correct summary of the Petition of Right, for its clauses express a desire that, in conformity with long sanctioned statutes, the people may not be taxed in any form without the previous sanction of Parliament; that no one shall be imprisoned upon warrants not specifying the alleged offence; that soldiers may not be billeted upon the people against the will of the latter; and that martial law may not be enforced, nor any one punished, but according to the law of the land.

In this our day we may incline to be surprised that such a petition should be so strenuously urged upon the King for recognition as the law of England. A denial or an infringement of its clauses are now unknown, but it was far otherwise in the Stuart century, for then each year afforded examples of the invasion of every right sought to be recognised.

* Sir E. Coke was as decided, concluding an able speech with the emphatic words—"Let us put up a *Petition of Right*; not that I distrust the King, but that I cannot take his trust but in a Parliamentary way."

30338

Charles struggled long, and tried every subterfuge before he would give his assent to the bill. By the Duke of Buckingham he sent a letter in his own handwriting, promising all that the Petition of Right contained, with a single qualification, but that was of momentous import—it reserved to himself and his Privy Council the right to imprison any one for causes "which, in his conscience," he thought concerned the public good and safety. Now for such purposes the royal conscience has ever been found most accommodatingly elastic, and the Commons, not willing to rest the public safety upon a foundation less mistakeable than a statute, disregarded the King's letter as "not being a Parliamentary way."*

In the House of Peers the Duke of Buckingham and the Lord Privy Seal, "with other great and able officers, did repulse this petition with all main," and there is reason for believing, though his biographer denies it, that the ex-Lord Keeper "had been sprinkled with some Court holy water," for he proposed, though without success, an addition, setting forth that the bill "left entire the King's sovereign power," and, we are told by the same friendly authority, that "he had a very courteous interview with the Lord Duke, and his grace had the bishop's consent, with a little asking, that he would be his grace's faithful servant in the next session of Parliament, and was allowed to hold up a seeming enmity, and his own popular estimation, that he might the sooner do the work." †

All opposition, all intrigue, failed to obtain even a modification of the Petition of Right; and on the 2nd of June Charles, in full Parliament, gave to it this special answer:—"The King willeth that right be done

* Parl. Hist. II. 355. † Hackett's Life of Lord Keeper Williams, II. 77—79.

according to the laws and customs of the realm; and that the statutes be put in due execution, that his subjects may have no cause to complain of any wrongs or oppressions contrary to their just rights and liberties, to the preservation whereof he holds himself in conscience, as well obliged, as of his prerogative."*

This consent not being in the accustomed form gave no satisfaction to the Commons, and they proceeded to debate further upon the distresses of the nation and their causes without furthering the grant of the supply. The King pressed them to be expeditious, warned them that on the 11th of June he should close the session, and protested he was resolved to abide by his answer to the petition "without further change or alteration." But the Commons had not yet placed the subsidies in his hands, and, therefore, again had he to yield to the just requirements of the Parliament. There is no reason for doubting that the unusual and ambiguous answer to the Petition of Right was a suggestion of the Duke of Buckingham; but it is certain that that answer had also been prepared in accordance with questions submitted to the judges, and was prepared with a belief founded on their answers, that it eluded the objects sought for in the petition.†

Against Buckingham, therefore, were the attacks of the Commons now directed for the first time this session. Even Selden, the moderate and just, rose to the onset. "All this time," were his words, "we have cast a mantle on what was done last Parliament; but now, being driven again to look on that man, let us proceed with that which was then well begun."

* Rushworth, I. 598. † Hallam's Constitutional Hist. I. 422.

Sir John Eliot was the first to approach the obnoxious favourite, but no sooner the words "I am confident no minister, how dear soever——" had passed his lips than the Speaker started from his chair, saying with tears, "There is a command laid upon me to interrupt any that should go about to lay an aspersion on the Ministers of State." Members called upon Eliot to proceed, but the Chancellor of the Duchy, Sir H. May, desired that if Eliot proceeded he (Sir Humphry) might be permitted to leave the House—"Whereupon they all bade him 'be gone,' yet he stayed and heard him out." "Then Sir Robert Phillips spoke and mingled his words with weeping," says a letter from one of the members present; "Mr. Prynne did the like; and Sir Edward Coke, overcome with passion, seeing the desolation likely to ensue, was forced to sit down, when he began to speak, through the abundance of his tears. Yea, the Speaker, in his speech, could not refrain from weeping; besides a great many whose grief made them silent. Yet some bore up in that storm, and encouraged others." For the purpose of escaping from the trammels of mere debate, the House resolved itself into a committee, in which Sir Edward Coke denouncing "the Duke as the cause of all our miseries," was "answered with a cheerful acclamation of the House 'Tis he—'tis he,'—as when one good hound recovers the scent the rest come in with a full cry."

When the Speaker, Sir John Finch, left the chair, he obtained permission to be absent from the House for a few minutes, which he protracted to three hours. One of the members feared that this unheard-of absence was ominous of a dissolution, but they were only requested

to adjourn until the morning following, and then the Speaker avowed whither he had been, and that the King, yielding to their wishes, intended to give the accustomed answer to their petition.

On the 9th of June, in all the panoply of state, and in the presence of the assembled Parliament, Charles ordered its clerk to cut from the journal his former answer to the petition, giving for insertion in its stead, the assent customary:—"Soit droit fait comme il est desiré." The yielding was graceful, and divested of either bitterness or reserve, and the commentary was similarly politic.—"This I am sure is full, yet no more than I granted you in my first answer. You see now how ready I have showed myself to satisfy your demands, so that I have done my part; wherefore, if this Parliament hath not a happy conclusion, the sin is yours; I am free from it."*

As the answer was received by the Commons with a shout of "joyful applause," so they resolved at once to demonstrate that the security obtained for the future, made them willing to be forgetful of the past; nearly all the Committees of Grievances were dissolved: and the bill granting the subsidies was forthwith passed, being carried up to the House of Peers by Sir Edward Coke, "almost the whole House attending him."

But Charles had now granted away what he hoped he had not parted with, and so soon as he discovered his mistake, he tried, but in vain, to retain or recover his power. The Commons, on the 16th of June, had a conference with the Peers, relative to a commission to which the Lord Keeper, a few months previously, most

* Rushworth, I. 625.

unadvisedly had affixed the great seal. That commission empowered the Lord Keeper, the Lord Treasurer (Earl of Marlborough), the President of the Council (Earl of Manchester), the Privy Seal (Earl of Worcester), the Lord Admiral (Duke of Buckingham), the Lord Steward (Earl of Pembroke), and the Lord Chamberlain (Earl of Montgomery), to act as commissioners for raising money "by impositions, or otherwise, as in their wisdoms and best judgments they should find to be most convenient." Such an unrestricted, such an illegal delegation of power to tax the country never was ventured upon before, even by the most despotic of our monarchs; and the Commons pointing out that it was totally at variance with "his Majesty's gracious answer to the Petition of Right," sought that the commission might be cancelled, and its suggestors discovered and proceeded against. It was pretended that it was only "a commission to advise," but this shallow and false subterfuge received the damning criticism of the Peers,—"this way of requiring advice under the great seal does seem unusual;" and it ended in the Lord Keeper exhibiting to both Houses the commission cancelled, and with the seal removed.*

This early appeal to the Petition of Right startled the King to renewed suspicions that his prerogative had been invaded; and upon the Commons presenting, a few days subsequently, a Remonstrance against the levying of Tonnage and Poundage, "without consent of Parliament," his impatience could no longer be controlled, and he forthwith silenced them by prorogation. Since the reign of Henry the Seventh, it had been

* Rushworth, I. 640; Parl. Hist. II. 430.

customary to grant Tonnage and Poundage to the Sovereign for his life; but James and Charles had so abused the power, that the Parliament now wisely proposed to make it a temporary grant, and they advised the King that if he levied it without such grant previously obtained, it would be "contrary to his royal answer to the Petition of Right." Indignant, as he believed that advantage was being taken of his assent to that petition to curtail his prerogative, Charles, on the 26th of June, whilst the Remonstrance was being read after engrossment, came suddenly to the Parliament, and closed the session. The prorogation was a hasty determination, and his address short and extempore; but he told them the cause for such dispatch.* "A Remonstrance is preparing for me, to take away the profit of my Tonnage and Poundage, one of the chiefest maintenances of my Crown, by alleging I have given away my right thereto by my answer to your petition. This is so prejudicial to me that I am forced to end this session some few hours before I want, being not willing to receive any more remonstrances, to which I must give a harsh answer. And since, I see, that even the House of Commons begins already to make false constructions of what I granted in your petition, least it be worse interpreted in the country, I will now make a declaration concerning its true intent.

"The profession of both Houses, in hammering this petition, was no ways to trench upon my prerogative, saying they had neither intention nor power to prevent it. Therefore, it must needs be conceived, that

* The Lords had no time to put on their robes, and the Bill of Subsidies had not been given to the Speaker for delivery to the King.—*Rushworth*, I. 644.

I have granted no new, but only confirmed the ancient liberties of my subjects. Yet, to show the clearness of my intentions, that I neither repent nor mean to recede from anything I have promised you, I do here declare myself, that those things which have been done, whereby many have had some cause to expect the liberties of the subject to be touched upon, (which, indeed, was the first and true ground of the petition), shall not hereafter be drawn into example for your prejudice; and, from time to time, on the word of a King, ye shall not have the like cause to complain. But as for Tonnage and Poundage, it is a thing I cannot be without, and was never intended by you to ask, nor meant by me, I am sure, to grant.

"To conclude, I command you all that are here to take notice of what I have spoken at this time to be the true intent and meaning of what I granted you in your petition. But especially you, my Lords the Judges, for to you only, under me, belongs the interpretation of laws, for none of the Houses of Parliament, either joint or separate, (what new doctrine soever may be raised), have any power either to make or declare a law without my consent." *

Having dismissed the Parliament, the very next day the King's printer was desired to attend the Attorney General at his chambers, who, as well as the Lord Privy Seal, there directed him by the King's special command that the Petition of Right, already printed with the King's second answer appended, should not be published, and he was then directed to print the petition with the King's first answer, which was done accordingly.†

* Rushworth, I. 643. The Parliament was prorogued to the 20th of October.

† Ibid. I. 655; Parl. Hist. II. 437.

A more weak and useless course than this could not have been devised, for it subjected the King to a charge of duplicity, or even of making false representations, whilst in effect it was utterly powerless to alter or restrain the Petition of Right, to which he had given a full and unqualified assent. By assenting to that petition, Charles had bound himself and his successors, so long as it remained unrepealed, not to compel the payment of "any tax, or such like charge, without common consent by Act of Parliament," and this, whether he intended it or not, included Tonnage and Poundage. Nor was there any valid reason why these should not be included, for all law authorities agree that they were taxes grantable by Parliament for such a term of years as to them seemed advisable; and though, in the 31st of Henry the Sixth's reign, and down to the reign of Charles, it had been customary to grant them to the King for his life, yet in all previous reigns they had been granted for short periods, and to Charles they had not been granted at all. Yet for fifteen years he continued to levy these imposts without such parliamentary sanction, and only acknowledged his error just previously to the breaking out of the Civil War.*

Disputing his title to levy those imposts without their sanction was not the only conduct of the Commons which induced Charles to hurry their sessional proceedings to a close.

We have seen that they had re-opened their attacks upon Buckingham, and this had resulted in a

* The Statute 16 Charles I. c. 8, renounces all power to levy Tonnage and Poundage without the expressed consent of Parliament. They were first levied in the 45th year of Edward III.'s reign.—*Cottoni Posthuma*, 172.

Remonstrance to the King, in which they charged not only the Duke with being "the principal cause" of the evils and dangers that had befallen England, but now, for the first time, implicated Dr. Neale and Dr. Laud, the Bishops of Winchester and Bath and Wells. Charles wrathfully designated this as a Remonstrance "no wise man can justify;"* yet there is nothing in it but a detail of the ill-conducted expeditions and oppressions which had lately caused loss both to our wealth and honour, and pointing out that this probably arose from too much power—too many offices being accumulated upon one official. Among the last sentences of the Remonstance was this—"As it is not safe, so, sure we are it cannot be for your service, it being impossible for one man to manage so many and weighty affairs of the kingdom as he has undertaken, besides the ordinary duties of those offices which he holds. Some of which offices, well performed, would require the time and industry of the ablest men both of counsel and action, that your whole kingdom will afford, especially in these times of common danger."† Let no one imagine that this conclusion had no better basis than envy and prejudice, for at this very time the great favourite's titles were blazoned thus :—

"George, Duke, Marquis, and Earl of Buckingham, Earl of Coventry, Viscount Villiers, Baron of Whaddon, Great Admiral of the Kingdoms of England and Ireland, and of the Principality of Wales, and of the dominions and islands of the same, of the town of Calais, and of the Marches of the same, and of Normandy, Gascony and Guienne; General Governor of the seas and ships

* Rushworth, I. 643.

† Ibid. 637.

of the said Kingdom; Lieutenant General, Admiral, Captain General and Governor of his Majesty's royal fleet and army lately set forth; Master of the Horse of our Sovereign Lord the King; Lord Warden, Chancellor and Admiral of the Cinque Ports and of the members thereof; Constable of Dovor Castle; Justice in Eyre of the Forests and Chases on this side the Trent; Constable of the Castle of Windsor; Gentleman of his Majesty's Bedchamber; one of his Majesty's most Honourable Privy Council in England, Scotland, and Ireland; and Knight of the Most Honourable Order of the Garter."* It was not, however, only this accumulation of honour upon a man whose best qualities were profuse extravagance, elegance of manners, and fearlessness even when most wrong: it was that no honours, no preferments, no measure of Government, were adopted without his previous sanction or suggestion, which rankled in the bosom of every one who witnessed at the same time his incapacity as a general, as an admiral, and as a statesman. He was then, as now, generally known as a bold, bad man; deceiving his master by his glittering acquirements, by knowing how to prevail with him from being his associate even in boyhood, and holding his ground against all competitors because, better than they, "he understood the arts of a Court, and all the learning that is professed there."†

As the Duke of Buckingham was assailed by the Commons, because they justly viewed him as the state-councillor from whom emanated the despotic ill-advised measures of the Government, so they directed their

* Rushworth, I. 307. † Clarendon's Hist. I. 26, fol. ed.

attacks against Dr. Mainwaring, as the most prominent of the ecclesiastical body who had brought the pulpit to the aid of arbitrary government, by preaching that "in cases of necessity the King had a right to order all as seemed good to him, without consent of his people; and that though the subject hath property of his goods in ordinary, yet, in extraordinaries the property was in the King."* These charges, preferred by the Attorney General, were not denied, and it did not mitigate the indignation of the Parliament to find that the sermons, in which such doctrines were promulgated, were preached before the King, and printed by his special command, under the title of "Religion and Allegiance;" though even Dr. Laud had besought his Majesty to reconsider his decision, "for there were many things therein which would be very distasteful to the people."† The sentence was severe, for Dr. Mainwaring was directed to pay a fine of 1,000*l.*; to be imprisoned during the pleasure of the House; to be suspended from the ministry for three years; to be disabled either from preaching at Court, or holding any secular office or ecclesiastical dignity; to make submission for his offence, and have his sermons publicly burned.

The sentence was severe, but it was enunciated to mark the sense entertained by Parliament of doctrines so subversive of public liberty, and no severity was beyond the reach of the royal pardon, which would scarcely be withheld from one whose unconstitutional doctrines had been promulged in obedience to the King's own mandate.

* Parl. Hist. II. 411. † Ibid. 416.

CHAPTER IV.

The King's patronage of Drs. Mainwaring and Montague.—Mr. Kirton.—Popish followers of Henrietta Maria.—Her disregard of the Pope's mandate at her marriage.—Unbecoming conduct of the Queen's French attendants.—Charles insists on their dismissal.—Their departure.—Arrival of the French ambassador.—King's letters to Buckingham and to the French King.—Queen's vow to educate her children in the Faith of Rome. Details of Popish intrigues.—The Court tampers with leaders of the Commons.—Sir T. Wentworth.—Pym's rebuke.—Mr. Wandesford.—Wentworth's rapid promotion.—Succeeds Lord Falkland as Lord Lieutenant of Ireland.—The Great Earl of Cork.—His remarkable career.—Assassination of Buckingham.—His previous warnings.—Letter from Sir W. Fairfax to Sir T. Fairfax of Denton.—John Felton the assassin.—His fearless bearing.—Sir John Hippesly bears the tidings of the murder to the King.—His distress and wrath.—Sympathy of the Puritans with Felton.—Rev. Mr. Gill.—Felton before the Privy Council.—His reply to Laud.—The King sanctions torture.—Forbidden by the laws of England.—Felton pleads guilty.—Is hanged at Tyburn.

"I OWE the account of my actions to God alone,"* were among the last sentences with which Charles dismissed his Parliament, and he now proceeded to act during its temporary absence as if all late experience had passed over him unheeded, and as if he really believed that Parliament would allow his conduct to remain unscrutinised until brought to judgment before the King of Kings. It is true that he suppressed by proclamation the sermons of Dr. Mainwaring, and another equally reprehended by the Commons, entitled "Appello

* Rushworth, I. 643.

Cæsarem," the preacher of which was Dr. Montague; but then the latter was raised to the Bishopric of Chichester, and Dr. Mainwaring had some golden livings, and finally the See of St. David's.* The right thus to pardon and promote was undoubtedly with the King, but the judicious exercise of that right would have been more beneficial to Charles, than a demonstration that he possessed it. His Parliament had censured, and he had acquiesced in that censure, and it would have been wiser not at once to have scoffed at the condemnation and the judges, by promoting those high-prerogative offenders; for the inference was obvious, and the consequence certain. The reward was more likely to encourage, than the condemnation to deter; and one of the Commons, Mr. Kirton, uttered no other than the dictate of common sense when he observed—"Calling in of the 'Appeals to Cæsar' will avail nothing, if they can get bishoprics for writing such books."†

Although Charles patronised those ecclesiastics whose tenets favoured the high prerogative and divine right of kings—tenets held by them in common with those of the See of Rome, yet there is no just ground for believing that he inclined to the religion of its pontiff. So far from having such a tendency, every act of his life, from the dismissal of the Queen's attendants to his dying declaration to Bishop Juxon, evince a firm adhesion to the religion of the Reformed Church. He even yielded too much to the persecuting spirit of its puritan members, and punished by fines and imprisonments the professors of the Roman Catholic faith, or Popish recusants, by which epithet of criminality they were then most popularly known.

* Rushworth, 646, 7. † Parl. Hist. VIII. 261.

These recusants, unfortunately for themselves, were not only instruments of proselytism to a faith most obnoxious to popular hatred and fear, but they were, in various modes, identified with the Queen and a party having at heart the interests of France. The stipulations in her marriage-treaty strengthened, and designedly strengthened, the papal influence in this island. In a manuscript entitled "A True Relation of the Treaty and Ratification of the Marriage concluded and agreed upon between our Sovereign Lord, Charles, King of Great Britain, &c., and the Lady Henrietta Maria, Sister to the French King,"* the clauses savouring of Richelieu's craft are particularly specified. Special provision is made "that the said lady and all her followers, as also the children which shall be born to her officers, shall have free exercise of the Catholic, apostolic, and Roman religion, and to that end the foresaid lady shall have a chapel in each of the King's palaces." "It is also agreed that the said lady shall have a bishop for her great almoner, who shall have all jurisdiction and necessary authority for all matters or causes concerning religion." "It is likewise agreed that the said lady shall have twenty-eight priests or ecclesiastical persons in her house, comprehending therein her almoner and chaplain;" and "the children which shall by reason of the said marriage be born and live, shall be nursed and brought up near unto the said lady and Queen from the time of their birth until they come to the age of thirteen years."

These provisions were endeavoured to be carried out to the letter, and were the occasion of a never-ending series of quarrels and conflicts, of which the arena varied

* Fairfax MSS.

from the royal bed-chamber to the royal banqueting-room; and no conclusion to them was in prospect, for it was provided, not only that "all the household servants which the said lady shall carry into England shall be priests, Catholics, and French by birth, and chosen or approved by his most Christian Majesty," but also, that when "any of them die, or that the foresaid lady be willing to change her said servants, then she shall take in their steads other Papists, Catholics, French or English, always provided that His Majesty of Great Britain consent thereunto." This last proviso was a slight recognition of the King's right to have some control over every member of his own household; but, even if unrecognised, and though with less of a Stuart spirit than that of Charles, no man could submit to the discomforts and intrigues which followed, and which nothing but force itself was able, at length, to remove.

On the 11th of May, 1625, the marriage had been solemnised at Paris, the Duke de Chevreux being proxy for the royal bridegroom, and on the 13th of June the youthful couple were in each other's arms at Canterbury. Yet the Roman pontiff had in the interval, brief as it was, made them feel his chain. The bride, hastening to her husband, was commanded to arrest her progress at Amiens, and perform sixteen days' penance for wedding a heretic.

Charles, at Canterbury, was awaiting her arrival, and replied to the intelligence of this intrusion, that he desired her to neglect the injunction, or he must return to London. He had to open the Parliament on the 18th of the month. She obeyed her husband, well conscious that the Pope, who had been bought to permit the marriage, could as easily be influenced to pardon

her disobedience.* She also disregarded the behests of the Church on the first day of her dining in public. It was the vigil of St. John the Baptist, and a fast of the Roman Calendar; yet despite her confessor's remonstrance, she partook of pheasant and venison, resolving to endure future penances rather than not gratify, at her first introduction, her husband and his people. There was discretion in this beyond her years, for she was not yet seventeen, and still more in her reply to the embarrassing question, How she could abide a heretic? "Why not?" was her answer; "was not my father one?"†

These compliances and courtesies, however, were a symphony to discord. Her almoner, Du Plessis, Bishop of Mendes, was young and indiscreet; and Père Sancy, her confessor, was supercilious, overbearing, and intriguing.‡ It is therefore no cause for surprise, considering such tutors, that she and her French household soon became obnoxious, more especially as M. de Blainville forgot his position as ambassador, and descended to participate in their political intrigues. Charles, uncontradicted and much less refuted, charged him with this, and obtained his recall. But no removal of evil would have been secured if the charges had proceeded no further, for nearly all the French members of the Queen's household bore themselves in a similar unbecoming manner. This, at length, became so intolerable, that on the 1st of July, 1626, little more than twelve months after the marriage,

* Ellis's Original Letters, 1st series, III. 200.

† Ibid. 198.

‡ Père Berulle was the Queen's first confessor, and a very opposite character to his successor. He was rewarded with a cardinal's hat for his judicious conduct, whilst seeking a dispensation at Rome for the marriage of Henrietta with Charles.

Charles, attended by some of his chief ministers, summoned the whole of the Queen's servants before him at Somerset House, and thus firmly, but temperately, addressed them :—

"Gentlemen and Ladies, — I am driven to that extremity, as I am personally come to acquaint you that I very earnestly desire your return for France. True it is, the deportment of some amongst you hath been very inoffensive unto me; but others, again, have so dallied with my patience, and so highly affronted me, as I cannot, I will not, longer endure it."

Loud was the clamour in reply, for "the bed-chamber women" were there; and even the French ambassador confessed that amongst all the inconveniences they were "the greatest obstacle" to pacification. All, as is usual, professed ignorance of any conduct entitled to condemnation, and were vociferous for particulars. But Charles retired with dignity, replying to each, "I name none;" but was compelled to pause and remove the Queen, who was even more violent than her attendants.*

The Secretary of State, Lord Conway, announced to the disordered assemblage, that early on the morning following, carriages for themselves, and wagons for their baggage, would be in attendance to convey them to Dover. It was found to be impossible, however, to remove them thus promptly; and some delay being permitted to make the necessary arrangements, such excuses and

* Hist. of Henrietta, &c. ed. 1660, p. 36; Letter from Mr. Pory to Mr. Mead; Harl. MSS. 383; L'Estrange's Life of Charles I. &c. In this undignified struggle, the Queen broke several panes of glass; but the King was firm, telling her that the separation "must be so," and confined her to other apartments. Howell's Letters, 194, differs in the details, but is sufficiently accordant to establish the chief facts.

intrigues were resorted to, while even an ambassador-extraordinary from France was approaching to obtain a revocation of the decrees of banishment, that Charles, at last, lost all patience, and wrote thus to Buckingham:—

"STEENIE,

"I have received your letter by Dick Graham.* This is my answer. I command you to send all the French away to-morrow out of the town. If you can, by fair means, but stick not long in disputing, otherwise, force them away, driving them like so many wild beasts, until ye have shipped:—and so, the devil go with them. Let me hear no answer, but of the performance of my command. So I rest

"Your faithful, constant, loving friend,

"C. R."†

"*Oaking, the 7th of August*, 1626."

The authority to employ compulsion was necessarily called into operation, for a contemporary letter-writer, at a date four days subsequently, says—

"Monday last was the peremptory day for the departure of the French; what time the King's officers attending with coaches, carts, and barges, they contumaciously refused to go, saying they would not depart till they had orders from the King; and, above all, the bishop stood upon his punctilios. This news being sent

* Sir Richard Graham.

† There is no doubt that the resolution to dismiss the Queen's household, and thus break up the French faction, was an act of the King's own. Buckingham opposed it; and there are letters from the King to him, observing his persuasions had too long prevailed, but that "it must be done, and that shortly."

in post to the King on Tuesday morning, his Majesty despatched away to London the Captain of the Guard, attended with a competent number of his yeomen, as likewise with heralds, messengers, and trumpeters ; first, to proclaim his Majesty's pleasure at Somerset House gate, which, if it were not speedily obeyed, the yeomen of the Guard were to put it in execution, by turning all the French out of Somerset House by head and shoulders, and shutting the gate after them. Which news, as soon as the French heard, their courage came down, and they yielded to be gone next tide."*

They pardonably asked for a short delay until after night-fall, that they might avoid the ridicule and insults of the mob. This, however, they did not entirely escape, during the four days occupied by their journey to Dover, and one man ventured even to throw a pebble at Madame St. George's cap as she stepped into the boat. This vulgar rudeness was visited with a punishment far exceeding its demerit, for an English courtier passed a rapier through the man's body, and he died on the spot ; nor does his murder appear to have been punished.†

" About a matter of six score French, for their petulancy, and some misdemeanors, and imposing some odd penances upon the Queen, were thus cashiered,"‡ and, in less than two months subsequently, M. Bassompierre arrived, as ambassador-extraordinary, to demand for the French King an *amende* for this alleged infraction of the marriage treaty. A full detail of the offences leading to this banishment was now required ; a detail which left no doubt of its justice, and which could only result in the ambassador's unsuccessful return. The

* Ellis's Original Letters, 1st series, III. 245. † Ibid. 248.

‡ Howell's Letters, 194.

narrative of these offences, signed by the chief English ministers of State, and much of the evidence by which it was sustained, have been preserved, and afford a very amusing record of Roman Catholic audacity, whilst it serves to justify the Puritan jealousy of the royal household, and vindicates the King from any tendency to that religious creed. It shows that the French priests and others had laboured to promote the dissensions in the Parliament, had established illegal seminaries, and converted the Queen's palace into a rendezvous for Jesuits and others proscribed by our law. Of these the Bishop of Chalcedon was a very notable example, for though a proclamation was issued for his apprehension and committal to the Castle of Wisbeach,* yet he was concealed at Somerset House; a fact said to have been known to the King, but who was willing probably that he should escape rather than be exposed to a lingering imprisonment. †

Another clause of accusation was, that they fomented discord between the King and Queen, by encouraging the latter to follow their wishes and to oppose his, "as a thing essential to the welfare of the Church." That they succeeded in this effort we have ample testimony, and among them the following, in the King's own handwriting, being a portion of a letter to the Duke of Buckingham at Paris :—

"You must advertise my mother-in-law that I must remove all those instruments that are causes of unkindness between her daughter and me, few or none of her servants being free of this fault in one kind or other.

* Rushworth, I. 645.

† MS. quoted by D'Israeli ; Hist. of Charles the First, II. 209.

Therefore, I should be glad that she might find a means to make themselves suitors to be gone. So requiring of thee a speedy answer to this business (for the longer it is delayed, the worse it will grow), I rest,

"Your loving, faithful, constant friend,

"CHARLES REX."

"*Hampton Court, the 20th of November*, 1625." *

Another letter, also from Charles, but in this instance addressed to the French King, gives us a more particular insight into his domestic annoyances. "One night," for this relates a curtain-lecture, "when I was in bed, she put a paper in my hand, telling me it was a list of those that she desired to be of her retinue. I took it, and said I would read it next morning; but, withal, told her, that by agreement in France, I had the naming of them. She said there were both English and French in the note. I replied, that those English I thought fit to serve her I would confirm; but for the French, it was impossible for them to serve her in that nature. Then she said, all those in the paper had breviates from her mother and herself, and that she would admit no other. Then, I said, that it was neither in her mother's power, nor in her's, to admit any without my leave, and if she stood upon that, whomsoever she recommended should not come in.† Then she bade me plainly take my lands to myself, for if she had no power to put in whom she would in those places, she would have neither

* Harleian MSS. 6988.

† The Queen's Almoner was one of those she wished to have placed in office, for Mr. Howell says, in one of his letters, "The Bishop of Mendes stood to be Steward of Her Majesty's Courts, which office my Lord of Holland hath."—*Howell's Letters*, 194. It never would have been tolerated to have Frenchmen managing any portion of the Royal revenues.

lands nor houses of me, but bade me give her what I thought fit in pension. I bade her, then, remember to whom she spoke, and told her that she ought not to use me thus. Then she fell into a passionate discourse, how she is miserable in having no power to place servants, and that businesses succeeded the worse for her recommendation; which, when I offered to answer, she would not so much as hear me. Then she went on saying she was not of that base quality to be used so ill. Then I made her both hear me and end that discourse."

This effort was a portion of a systematic attempt, having for its object the promotion of Roman Catholics and the re-establishment of their religion in her adopted country: a system solemnly and deliberately preconcerted; for a copy of a contract exists, to which the Pope and the King of France are parties, whereby she vowed to educate her children in their common faith, and to have none but Roman Catholics to attend upon them.* Had this been publicly known, England would not have submitted quietly to her elevation to the Queen-consortship, and its consequences are evinced by the fact, that all her children who lived to a ripe age either lived or died professing that faith; and of such importance was it considered at the time, that there was a contest in 1633, even whether the young Prince James should imbibe nourishment from the breast of a Papist or of a Protestant. It descended to such a ridiculous squabble, that if the nurse would have professed herself a convert to the Reformed faith, she would have been considered unexceptionable; but as the Queen was violently enraged, and the woman's health suffered, the ladies had their

* Ambassades du Mareschal de Bassompierre, III. 49.

way, the Protestants being obliged to consign the child to a Papist's breast, though they would have preferred that of a hypocrite.* Pitiable as are such passages, yet there was cause abundant for the King to resolve strenuously to put down the attempted encroachments and intrusions of the Romanists.

These attempts to obtain precedence and domination commenced with the Queen's arrival, for in the October of that year, Mr. Mead, writing to Sir Martin Stuteville, describes the following scene: "The King and Queen dining together in the presence, Mr. Hacket (the chaplain and biographer of Lord Keeper Williams) being there to say grace, the confessor would have prevented him, but that Hacket shoved him away; whereupon the confessor went to the Queen's side, and was about to say grace again, but that the King, pulling the dishes unto him, and the carvers falling to their work, hindered him. When dinner was done, the confessor thought, standing by the Queen, to have been before Mr. Hacket, but Mr. Hacket again got the start. The confessor nevertheless begins his grace as loud as Mr. Hacket, with such a confusion, that the King, in great passion, instantly rose from the table, and, taking the Queen by the hand, retired into the bed-chamber."†

The resort of Roman Catholics to the Queen's celebration of mass at St. James's was encouraged by the priests of her establishment, and this rose to such an extent, that by the King's order pursuivants stood at the door of the chapel to prevent the entrance of such intruders, and this led to contests and drawing of swords, not at all in unison with sacred rites. Despite such

* Strafford's Letters, I. 141. † Sloane MSS. 4177.

opposition, the concourse of worshippers was so numerous that the priests importuned for the special erection of a larger chapel; but the King rejected the application with more than customary asperity. "If the Queen's closet," said Charles, "where they now say mass, is not large enough, let them have it in the great chamber; and if this be not wide enough, they may use the garden; and if the garden would not serve their turn, then is the park the fittest place."

At length came the climax, which cannot be better described than in the words of the State Paper signed by the King's ministers and delivered to M. Bassompierre. "They abused the influence which they had acquired over the tender and religious mind of her Majesty, so far as to lead her a long way on foot, through a park, the gates of which had been expressly ordered by the Count de Tilliers (the French ambassador) to be kept open, to go in devotion to a place (Tyburn) where it has been the custom to execute the most infamous malefactors and criminals of all sorts, exposed on the entrance of a high road. An act, not only of shame and mockery towards the Queen, but of reproach and calumny of the King's predecessors, as accusing them of tyranny in having put to death innocent persons, whom these people (her French suite) look upon as martyrs; although, on the contrary, not one of them had been executed on account of religion, but for High Treason. And it was this act, above all, which provoked the royal resentment and anger of his Majesty beyond the bounds of his patience."* The French ambassador attempted to discredit what he dared not to deny, nor could he

* Ambassades de M. Bassompierre, III.; Harl. MSS. 1323.

have found an answer to this just criticism in a letter from Mr. Pory to Mr. Mead, and written at the time, the July of 1626—"The priests had made her dabble in the dirt on a foul morning from Somerset House to St. James's, her Luciferian confessor riding along by her in her coach! They have made her go barefoot, with many other ridiculous and absurd penances. If they dare thus insult over the daughter, sister, and wife of so great kings, what slavery would they not make us, the people, to undergo!"*

M. Bassompierre did all that an ambassador could do for effecting a revocation of the decree of banishment, but in vain, for when at last he was driven to the higher ground of complaint that it was an infraction of that clause of the marriage-treaty which promised immunities to Roman Catholics, he was at once precipitated from his elevation by the undisputed fact that that clause "was agreed to by our Commissioners, and accepted by theirs, *simply as a matter of form, to satisfy the Roman Catholic party of France and the Pope.*"†

The details of the Roman Catholic intrigues, and of the measures adopted by Charles to counteract them, have caused some complexity in our tracing the current of events. We now return to the other memorable occurrences of the Parliamentary recess of 1628, most prominent among which was the successful tampering of the Court with some of the leaders of the country party. Far the most superior in ability and influence among these was Sir Thomas Wentworth. Foremost in every assault against the unjust exercise of the royal

* Harl. MSS. No. 383.

† Ambassades de M. Bassompierre, III. 312; Harl. MSS. 1323.

Jos Brown, sc

JOHN LYNE.

FROM THE ENGRAVED PORTRAIT BY J HOUBRAKEN

prerogative; firm, not to say fierce, in every demand for security to the people's liberty, no greater blow, no treachery more discouraging, could have befallen the reformers of the day. Wentworth proving false, who could be relied on as faithful? Yet even whilst combating for the Petition of Right, it is now evident he was not turning with scorn from the pander who trafficked for his counter-support.* Whilst the Parliament was sitting, Wentworth sought at Greenwich a conference with Pym. Here, by hints and allusions, he began sounding his friend, to ascertain whether he might be tempted to desert the party in whose ranks they had contended side by side. But Pym abruptly interrupted him, by saying,—"You need not use all this art to tell me you have a mind to leave us: but remember what I tell you:—you are going to be undone. Remember, also, that though you leave us, I will never leave you while your head is upon your shoulders."† And Pym kept his word.

Parliament was prorogued on the 26th of June, and on the 22nd of July Wentworth was elevated to the peerage as Baron Wentworth, and in the December following he was advanced to be a viscount. "Sir Thomas Wentworth and Mr. Wandesford,"‡ says Howell, writing to the Countess of Sunderland, August 5th, "are grown great courtiers lately, and come from Westminster Hall to Whitehall (Sir John Savile, their countryman,

* See a letter to him from the courtly Speaker, Sir John Finch, dated May 28th, 1628.—*Strafford Letters*, I. 46.

† Wellwood's Memorials, 53.

‡ Christopher Wandesford was related, by intermarriage, with Wentworth's family. He was made Master of the Rolls in Ireland, and Deputy Lieutenant of that country by his greater kinsman. He had been a reformer in Parliament.

having shown them the way with his white staff.*) The Lord (Treasurer) Weston tampered with the one and my Lord Cottington took pains with the other, to bring them about from their violence against the prerogative. I am told the first of them is promised my Lord's place at York, in case his sickness continues." † This rumour was correct, for Wentworth was shortly after made a privy councillor, appointed to the Lord Lieutenancy of Yorkshire and the Presidency of the Castle, in the room of Lord Sunderland. "The Duke of Buckingham himself," observes Mr. Howell, writing to his father, December 3rd, 1630, "flew not so high in so short a revolution of time. My Lord Powis, who affects him not much, being told that the heralds had fetched Wentworth's pedigree from the blood-royal, namely, from John of Gaunt, said: 'Dammy, if ever he come to be King of England, I will turn rebel!'" ‡

This rapidity of promotion was not interrupted, until Lord Wentworth succeeded Lord Falkland as Lord Lieutenant of Ireland at the close of 1631; and it may be here observed, that he commenced his government of that island with the pride-dictated mistake of an implacable enmity with "the great Earl of Cork." This nobleman, just made hereditary Lord Treasurer of Ireland, was one of the most loyal, charitable, and able of the Irish peers. He had been the sole architect of his own fortunes, and, with true nobleness of mind, left

* Sir J. Savile, of Howley, in Yorkshire, was made Comptroller of the King's Household, and had been raised to the Peerage the day previously to Wentworth, who, in other efforts, had always been his superior, and unalterable enemy. *Warwick's Memoirs*, 48.

† Howell's Letters, 216, 9th ed. Lord Scrope of Bolton, was created Earl of Sunderland in 1628. ‡ Ibid. 226.

behind him this record of his career, a copy of which is among the Fairfax MSS.*

"I, Sir Richard Boyle, Knight, Lord Boyle, Baron of Youghal, Viscount of Dungarvan, Earl of Cork, Lord High Treasurer of Ireland, one of his Majesty's Honourable Privy Council, and one of the two Lords Justices for the Goverment of this Kingdom, do commend these true remembrances to posterity this 23rd of June, 1632, who have now lived in this Kingdom of Ireland full forty-four years, and so long after as it shall please Almighty God. My father, Mr. Roger Boyle, was born in Herefordshire; my mother, Joan Nayler, daughter to Roger Nayler, of Canterbury, in the county of Kent, Esquire, was born there the 15th day of October, in the thirty-first year of King Henry the Eighth. And my father and mother were married in Canterbury, the 16th day of October, in the eighth year of the reign of Queen Elizabeth. My father died at Preston, near Feversham, in Kent, the 24th day of March, 1576. My mother never married again, but lived ten years a widow, and then departed this life, at Feversham, the 20th day of March, 1586, and they are both buried in one grave, in the upper end of the Chancel of the parish church of Preston. In memory of which, my deceased and worthy parents, I, their second son, have, in 1629, erected a fair alabaster tomb over the place they were buried in, with an iron grate before it, for the better preservation thereof. I, Sir Richard Boyle, now Earl of Cork, the second son of Roger Boyle, Esq., was born in the city of Canterbury, as I find it written with

* It is endorsed by Bryan Fairfax; "Copy of a Manuscript taken from the handwriting of the first Earl of Cork, relating to the rise of his family."

my father's own hand, the 3rd day of October, 1566. After the decease of my father and mother, I, being the second son of a younger brother, having been a Scholar in Bennet's College, in Cambridge, and a Student in the Middle Temple, at London, finding my means unable to support me to study the laws at the Inns of Court, put myself into the service of Sir Roger Manwood, Lord Chief Baron of His Majesty's Court of Exchequer, whom I served as one of his clerks; and perceiving that employment would not raise me to a fortune, I resolved to travel into foreign kingdoms, to gain learning, knowledge, and experience abroad in the world, and it pleased God by his Divine Providence to take me, I may justly say, as it were by the hand, and lead me into Ireland, where I happily arrived at Dublin, in Midsummer, the 23d day of June, 1588.

I was married at Limerick to Mrs. Joan Apsley, one of the two daughters and co-heirs of William Apsley, Esq., the 6th day of November, 1595, who brought me 500*l.* in lands the year, which I still enjoy, it being the beginning and foundation of my fortunes, and she died at Moyallow, the 14th day of December, 1599, in travail of her first child, which was born a dead son, and both lie buried together. When I first arrived at Dublin, in Ireland, the 23rd of June, 1588, all my wealth then was 27*l.* 3*s.* in money, and two tokens which my mother had formerly given me, viz., a diamond ring, which I have ever since and still do wear, and a bracelet of gold, worth about 10*l.*; a taffeta doublet, cut with and upon taffeta; a pair of black velvet breeches, laced; a new Milan fustian suit, laced and cut upon taffeta; two cloaks; competent linen and necessaries, with my

rapier and dagger; and since, the blessing of God, whose Heavenly Providence guided me hither, hath enriched my weak estate in beginning, with such a fortune as I need not envy any of my neighbours, and added no care nor burthen of conscience thereunto. And this 23d of June, 1632, I have served my good Queen Elizabeth, King James, and King Charles, full forty-four years in Ireland, and so long hereafter as it shall please God to enable me.

When God had blessed me with a reasonable fortune and estate, Sir Henry Wallop, Treasurer at War, Sir Robert Gardiner, Chief Justice of the King's Bench, Sir Robert Dillon, Chief Justice of the Court of Common Pleas, and Sir Richard Bingham, Chief Commissioner of Connaught, being displeased for some purchases which I had made in that Province, they all joined together and by their letters complained against me to Queen Elizabeth, expressing that I came over a young man without any estate or fortune, and that I had made so many purchases as it was not possible to do it without some Foreign Prince's purse to supply me with money; that I had acquired Castles and Abbeys upon the sea-side fit to receive and entertain Spaniards; that I kept in my Abbeys fraternities and convents of friars in their habits, who said Mass continually, and that I was suspected in my religion; with divers other malicious suggestions, whereof I, having some secret notice, resolved to go into Munster, and so into England, to justify myself. But before I could take shipping, the General Rebellion in Munster brake forth; all my lands were wasted, so as I could not say that I had one penny of certain revenue left me, to the unspeakable danger and

hazard of my life. Yet God so preserved me as I reached Dingle, and got shipping there, which transported me to Bristol, from whence I travelled to London, and betook myself to my former chamber in the Middle Temple, intending to renew my studies in the laws till the Rebellion was passed over. Then Robert, Earl of Essex, was designed for the government of this Kingdom, unto whose service I was recommended by Mr. Anthony Bacon, whereupon his lordship very nobly received me, and used me with much grace and favour in employing me in suing out his Patent and Commission for the Government of Ireland; whereof Sir Henry Wallop, Treasurer, having notice and being conscious in his own heart that I had sundry papers and collections of Michael Kettlewells, his late Vice-Treasurer, which might discover a great deal of wrong and abuse done to the Queen in his late accounts, and suspecting that if I was countenanced by the Earl of Essex, that I would bring those things to light, which might much prejudice and ruin his reputation and estate, and although, I vow to God, that until I was provoked I had no thought thereof, yet he, utterly to suppress me, renewed his former complaint to the Queen's Majesty against me; whereupon, by her Majesty's especial direction, I was suddenly attached and sent close prisoner to the Gate-house; all my papers were seized and searched; and although nothing could appear to my prejudice, yet my close restraint was continued till the Earl of Essex was gone for Ireland, and two months afterwards, at which time, with much suit, I obtained of her Sacred Majesty the favour to be personally present at my answer, where I so fully answered and cleared all their objections and delivered

such full and evident justifications for mine own acquittal, as it pleased the Queen's Majesty to use these words :— 'By God's death, all these are but inventions against the young man, and all his sufferings are for being able to do us service, and these complaints urged to forestal him therein ; but we find him to be a man fit to be employed by ourselves, and we will employ him in our service, and Wallop and his adherents shall know that it shall not be in the power of any of them to wrong him ; neither shall Wallop be our Treasurer any longer :' and thereupon directing her speeches to her Lords of her Council then present, commanded them presently to give her the names of six men, out of which she might choose one to be Treasurer of Ireland, her election falling upon Sir George Cary, of Cookington ; and then the Queen's Majesty, from Council, gave order not only for my present enlargement, but also for the discharging of all my charges and fees during my restraint, and gave me her Royal hand to kiss, which I did heartily, humbly thanking God for this deliverance. Being commanded by her Majesty to attend at Court, it was not many days before her Highness was pleased to bestow upon me the office of Clerk of the Council of Munster, and to command me over to Sir George Cary, after Earl of Totness, then Lord President of Munster, whereupon I bought of Sir Walter Rawleigh his ship called the Pilgrim, into which I took a freight of ammunition and victuals, and came in her myself by long seas, and arrived at Carrigfoyle in Kerry, where the Lord President and the army were then at the siege of that castle which we had beleaguered. I was there sworn Clerk of the Council of Munster, and presently after made a

Justice of the Peace and Quorum throughout all that Province. And this was the second rise that God gave to my fortunes.

Then, as Clerk of the Council, I attended the Lord President in all his employments, and waited upon him all the whole siege of Kinsale, and was employed by his Lordship to her Majesty with the news of the happy victory. In which employment I made a speedy expedition to Court, for I left my Lord President at Shandon Castle, near Cork, on the Monday morning about two of the clock, and the next day, being Tuesday, I delivered my packet and supped with Robert Cecil, being then Principal Secretary, at his house in the Strand, who, after supper, held me in discourse till two of the clock in the morning, and by seven of the clock that morning called upon me to attend upon him to the Court, where he presented me to her Majesty, in her bed-chamber, who remembered me, calling me by my name, and giving me her hand to kiss, telling me that she was glad I was that happy man to bring the first news of that glorious victory. And after her Majesty had interrogated with me upon sundry questions very punctually and precisely, and that therein I had given her full satisfaction in each particular, she gave me again her Royal hand to kiss, and commanded my dispatch for Ireland, and so dismissed me with great grace and favour. At my return into Ireland I found the Lord President ready to march with the army to the siege of Berehaven Castle, then fortified and possessed by the Spaniards and some Irish rebels, which, after by battery we had made accessible, we entered, and put all to the sword. His Lordship then fell to reducing those western

parts of the Province to subjection and obedience to her Majesty's laws, and having placed garrisons and wards in all places of importance, made his return to Cork, and in the way homewards acquainted me with his resolutions; it being to employ me presently into England to obtain licence of her Majesty for his repair to her Royal presence; at which time he propounded to me the purchase of all Sir Walter Rawleigh's lands in Munster, offering me his best assistance for the compassing thereof, which he really performed, for upon my dispatch into England he wrote by me two effectual letters, one to Sir Robert Cecil, wherein he was pleased to magnify my service and abilities, concluding with a request that he would mediate with Sir Walter Rawleigh to sell me all his lands in Ireland, then altogether waste and desolate. To Sir Walter Rawleigh he also wrote, advising him to sell me all his lands in Ireland, which were then untenanted and of no value to him, mentioning withal that in his Lordship's knowledge his estate in Ireland never yielded him any benefit, but contrary-wise stood him in 200*l.* yearly for the maintenance and support of his titles. Whereupon there was a meeting between Sir Robert Cecil, Sir Walter Rawleigh, and myself, where Sir Robert Cecil mediated and concluded the purchase between us, and accordingly my assurances were perfected, and this was a third addition and rise to my estate. Then I returned into Ireland with my Lord President's licence to repair to Court, where in his way to Dublin, whence he purposed to embark, he dealt most nobly and father-like with me in propounding to me that it was high time for me now to take a wife, in hopes of posterity to inherit my lands, advising me to make

choice of Sir Geoffry Fenton's only daughter, and that if I could affect her he would treat with her parents to have the match between us; wherein he prevailed so far as, the 9th day of March, 1602, I was in his Lordship's presence contracted to her in her father's house in Dublin.

The 25th day of July, 1603, I was married in Dublin to my second wife, Katherine Fenton, the only daughter of Sir Geoffry Fenton, Knight, Principal Secretary of State, and Privy Councillor of Ireland, with whom I never demanded any marriage-portion, neither had promise of any, it not being in my consideration; yet the father, after our marriage, gave me 1000*l.* in gold with her, but that gift of his daughter unto me I must ever thankfully acknowledge to Almighty God as the crown of all his manifold blessings, for she was a most religious, virtuous, loving, and obedient wife unto me all the days of her life, and the happy mother of all my hopeful children, whom with their posterities I beseech God to bless.

The 10th day of July, 1620, my eldest brother, Dr. John Boyle, Lord Bishop of Cork, Cloyne, and Ross, departed this life at Bishop's Court, near Cork, and the 12th of that month was buried in my new tomb erected in the chapel which I re-edified at Youghal, after whose death I obtained those Bishoprics of his Majesty for my uncle Michael Boyle's son, Richard Boyle, for whom I formerly obtained the Deanery of Waterford, who now succeeds my brother in those Bishoprics.

I, Richard, Earl of Cork, was knighted by Sir George Carew, Lord Deputy of Ireland, at St. Mary's Abbey, near Dublin, 25th day of July, 1603, being St. James's day; and the very day I was married to my second wife,

Mrs. Katherine Fenton, I was sworn a Privy Councillor to King James for the Province of Munster, at the Council-table at Dublin, by the Lord Chichester, Lord Deputy of Ireland, 12th day of March, 1606, with commandment from the Lord Deputy and Council to Sir Henry Brounker the Lord President of Munster, to admit me into that Council, who, upon former direction from the State, had refused either to swear or admit me a Councillor of that Province.

I was sworn a Privy Councillor of State of the Kingdom of Ireland by the Lord Chichester, the Lord Deputy, at Chichester House, 15th day of February, 1613, being the day I arrived out of England at Dublin, 1613.

I was created Lord Boyle, Baron of Youghal, on Michaelmas Day, being the 29th of Sept., Anno Domini, 1616.

I was created Lord Viscount of Dungarvan and Earl of Cork, 26th day of October, Anno Domini, 1620.

Adam, Lord Viscount Loftus of Ely, Lord Chancellor of Ireland, and I, Richard, Earl of Cork, were sworn Lords Justices for the joint government of this Kingdom of Ireland, 26th of October, Anno Domini, 1629, with the entertainment of 100*l.* sterling the month to each of us.

I was made Lord High Treasurer of Ireland, and sworn 9th day of November, Anno Domini, 1631."

The pathway of Wentworth's preferment was sloped by the death of Buckingham, who, at this juncture, fell by the hand of Felton. It is true that immediately after his assassination, the King, with the avowed intention to show the world that the Duke "did not govern him, but much the contrary," addressed himself with

unwonted industry to public business, and, as was observed by Lord Dorchester at the time, "the King holds in his own hands the total direction, leaving the executory part to every man within the compass of his charge." * It is probable that Charles intended as he said, but infirmity of purpose, and defect of perseverance against difficulties, was the Stuart failing, and this resolution to be unwarped by favoritism, was not doomed to be a fortunate exception. Buckingham had been removed, but only to make way for Dr. Laud and Lord Wentworth. It is probable the latter would have been retained nearer the King if it had not been for the irksomeness of confronting in the Parliament his old co-patriots. Ireland, consequently, was made the field of his exertions in the Royal service.

The Duke of Buckingham's assassination occurred on the 23rd of August, 1628, and is an event too important to be passed over without some further particulars. His predominant error was a morbid desire of approbation, and he coveted it beyond all bounds of moderation, whether the tokens of commendation came from his sovereign or the mob; and it was a source of agony to him to be ridiculed for the ill-association of an ornament as much as for the failure of a campaign. His friend, Sir Henry Wotton, says "He was ever greedy of honor," and his confidential secretary, Dr. Mason, relates that the Duke passed whole nights expressing querulous impatience at slights which he feared were passed upon him during his absence from Court. Never, therefore, was any annoyance greater than his at the knowledge of the universal condemnation passed upon his management of

* Sloane MSS., 4178.

the Rochelle expedition. The contempt of the poorer classes, and the hatred of the rich for their losses which were attributed to his misconduct, mingled with mutterings against his sincerity, maddened him to a desperation which needs no other tell-tale than his impassioned declaration to his parasite, Sir Balthasar Gerbier :—" Gerbier, if God please, I will go and be the first man who shall set his foot on the dyke before Rochelle, to die or do the work ; whereby *the world* shall see the reality of our intentions."

Never had man more warnings not to persist in an intention than Buckingham, on this occasion : warnings from pretended preternatural revelations ; warnings from those who knew the public odium towards him ; and warnings from those who had actual intelligence of impending peril to his person; but he disregarded them all, and pressed forward on his journey to Portsmouth, personally to superintend the military preparations for the expedition.

These preternatural warnings, though admitted into their pages by Clarendon and other grave authorities, may be believed to have emanated from the fears of the Duke's mother, and to have obtained credit by the aid of family secrets revealed by her for that purpose.* But the rumours of personal danger were too general not to have deserved some attention from a wise man. The public hate was such against the Duke, that a contemptible fortune-teller named Lamb had been ruffianed to death on the mere suspicion of being one of his creatures, nor did the mob's daring cease with that murder, for it was recorded in this popular chaunt, to be heard

* Clarendon's Hist., I. 35.

commonly in the streets; monitory, and, as it proved, prophetic :—

> "Let Charles and George do what they can,
> The Duke shall die like Doctor Lamb.*

Even Lady Davies, the *clairvoyante* of that period, had foretold the speedy approach of his death, and Sir George Goring, afterwards Earl of Norwich, informed him, whilst on his journey, of a design against his life. Buckingham read the letter, and continued his route unheedingly. He even seemed to court danger, for though warned of men lurking with avowed murderous intent in a place to which he was approaching, still he pressed on, declining either the just precaution of a deviation from the road, or of wearing a breast-plate beneath his vest. "There are no Roman spirits left," was his bitter response of affected contempt for his humbler countrymen, an undervaluing of whom he, and most of his associates, lived to experience the fatal consequences. In vain did his companions urge him to be more cautious: he dazzled them with this justification of rashness—"If I make my enemies believe I am afraid of danger, I shall never live without alarms." His nephew, Viscount Fielding, requested permission to wear his cloak and blue ribbon, so that by imitating his mode of riding, any assassin might be made to hesitate before he aimed a blow, and more time and warning be thus given for defence. The Duke embraced the

* Rushworth, I. 630. The Pasquinades of any period "show how the wind sets;" and among others of 1628 was this against Buckingham, taken from a post in Colman-street. "Who rules England?—The King. Who rules the King?—The Duke. Who rules the Duke?—The Devil."—*Ellis's Orig. Letters*, III. 252, 1*st Series*.

profferer, whilst he declined the gallant proposal, and did no more than give some directions as to the order in which they should pursue their journey. There was truth in the warning, for a daring soldier seized the Duke's bridle as he entered the town, probably Petersfield, but was immediately rode over by one of the Duke's attendants, and dashing through the town, they reached Portsmouth without any further interruption.*

The King also was there and had been for some days, and more than once, if the following letter, the date of which is not clear, from Sir William Fairfax of Streeton, does not relate to the Duke's first expedition to relieve Rochelle :—

TO THE RIGHT WORSHIPFUL SIR THOMAS FAIRFAX, AT DENTON, THESE.

SIR,

I have sent you here enclosed as exact a particular as I could of all things which concern the Navy. His Majesty stayed very near a fortnight in viewing the ships and seeing the soldiers trained at Portsmouth. All that were there speak honourably of the preparation, and confess that on man's part nothing is wanting. Yesterday, at chapel, there was a prayer for their good success, and I hope this pious proceeding of his Majesty will be exemplar through the whole kingdom. Where they bend their course is unknown, only it is conjectured they will touch about Rochelle and the Island of St. Martin, and do something at the Terceira's. When we hear further, I shall not fail to give you notice. In

* Reliquiæ Wottonianæ, 229, &c.

the mean time, with mine and my wife's humble service, I rest your

True faithful servant,

WILL. FAIRFAX.*

London, Jul. (?) 27th.

The hand by which he was to fall, was pursuing and not waylaying him. A younger son of mean fortunes, by name John Felton, (we now adopt almost the words of Wotton's narrative), born in Suffolk, and by nature silent and melancholy, had served under the Duke at the Isle of Rhé, as a lieutenant of foot, in Sir James Ramsey's regiment. He had applied for promotion to a company, on the death of his captain, but a gentleman named Powell had been preferred, and Felton, it was alleged, resigned his commission in anger and disgust. But this, as Wotton acknowledges, was only a fabrication to degrade and blacken the motive that induced the crime. Powell was "a gentleman of extraordinary valour," whose promotion "Felton acknowledged to be in itself usual and equitable,"† and we have the best of reasons for believing Felton's own confession to be truth, made as it was without fear, and at the very period when he was meeting the death he sought rather than endeavoured to avoid. About three hours before his execution, Felton told Sir Richard Gresham, the Sheriff, that his only inducement to commit the

* Sir William Fairfax of Streeton. He was killed in a skirmish at Montgomery, on the 27th of November, 1644. By his wife, Frances, daughter of Sir Thomas Challoner, he had two sons, and the same number of daughters. The second son, Thomas, commanded a company of Charles the Second's body guard, and one of the daughters married into the Bladen family, some of whose letters are included in this work from the *Fairfax MSS.*

† Reliquiæ Wottonianæ, 231.

murder was the belief that the Duke was "one of the foulest monsters on the earth, and unworthy of any room within the bounds of humanity,"—a belief to which he was led by reading a book written by Dr. Egglestone, a Scotch physician, sustained, as he considered it, by the charges brought against the Duke by the Parliament's last "Remonstrance."

Once convinced that the achievment of the Duke's death would be a praiseworthy act, Felton was the character to consummate the crime with a fixity of purpose and a coolness which would render the victim's escape scarcely possible. "In a by-Cutler's shop on Tower Hill, Felton bought a tenpenny knife, so cheap was the instrument of this great attempt." It was the kind of weapon which, above all others, was adapted to give a death-wound, being a butcher's knife, fixed in its handle, borne in a sheath, always ready for use, and, being without a hinge, not liable to swerve from the direction intended. Felton, maimed in one hand, and thus incapable of grasping the sheath whilst drawing the weapon, sewed the sheath within the lining of his pocket, and thus armed, entered on the track of his victim. "Indigent and low in money," partly on foot and partly on horseback, he followed him to Portsmouth. There he arrived the night before the murder; and entering, on the following morning, with the crowd of officers and others, who attended at the Duke's lodgings at that time of bustle and confusion, so unfailingly attending an approaching embarkation, Felton approached him unnoticed and unquestioned.* It was yet early in the morning,

* The house still remains, and is No. 10, in the upper part of Portsmouth High Street.

and the Duke was passing from his breakfast-room to a more public chamber, when he was detained by M. Soubise, the noble agent of the Rochellers, to assure the Duke that the news of their town being relieved could not be true; and the Frenchman's manner had been so animated, that when the Duke fell, some of his friends thought that the blow had been given in anger by a Hugonot's hand.* Still passing on across the hall, or lobby, to the chamber of audience, but before he could reach it, the Duke was again detained to hold a short confidential conference with Sir Thomas Fryer. Felton was near them, and as Sir Thomas bowed and drew on one side to allow the Duke to pass on, the person of the latter was left exposed, and Felton, with a back-handed blow, plunged the knife into his breast, leaving it in the wound. The aim was too true, the heart was deeply pierced. "Villain!" or "The villain hath killed me!" was the only exclamation he had power to make, before the gush of blood choked his utterance, as he plucked the weapon from his breast, staggered forward, and fell against the wall of the lobby. He was thence borne to a table, but that none of the most terrible incidents of such a death might be absent, before life was extinct, his Duchess, then pregnant, rushed forward, and from the landing-place of her chamber witnessed the death-struggle. This agonising event was seen by Lord Carlton, and is thus described by him in a letter to the Queen:—

"The Duchess of Buckingham and the Countess of Anglesea came forth into a gallery which looked into the

* Sir P. Warwick's Memoirs, 34.

hall, where they might behold the blood of their dearest lord gushing from him. Ah! poor ladies, such were their screams, tears, and distractions, that I never in my life heard the like before, and hope never to hear the like again."*

So great was the consternation and confusion, that the assassin might have escaped undetected had he been so disposed, but he lingered near the house, and being uncovered, when a hat was found without a claimant, that circumstance pointed to him as an object of suspicion. His horse was fastened to a neighbouring hedge, but he had walked into the kitchen of the house and stood there without any effort to escape. After a while, being undetained, he passed out and sauntered leisurely before the house. Some one noticing him, a stranger and bareheaded, exclaimed, "Here is the fellow who killed the Duke!" and another by-stander inquiring, "Where is the villain?"—Felton at once advanced towards them, and offering to deliver his sword, replied, "I am the man—here I am." Lord Carlton, who witnessed his surrender, with the aid of Sir Thomas Morton and others, preserved him from the fury of the Duke's attendants, to whose swords he approached with open arms, evidently willingly to die, though without any sign of repentance for the deed.†

His captors, taking him into a private room, proceeded to examine him as to the motives which induced him to perpetrate so foul a crime. Thinking it might aid the inquiry, they spoke as if the Duke was only wounded; but Felton replied, with a smile, that "he

* Ellis's Original Letters, III. 267 (1st series).
† Clarendon's Hist. I. 24.

knew well enough he had given a blow that had determined all their hopes," adding, at another time, "When I struck I felt in me the force of forty men."

In reply to inquiries as to who had instigated him to commit the murder, he said, "No man living had credit or influence enough with him to have engaged or disposed him to such an action; he had never even entrusted his purpose to any man, but it had proceeded only from the impulse of his own conscience; and that its motives would appear if his hat were found, in which he had placed a paper which stated them, because he had thought it very probable he might perish in the attempt."

The hat, we know, was found; and the paper, taken from the crown inside, ran thus: —

"That man is cowardly, base, and deserveth not the name of a gentleman or soldier that is not willing to sacrifice his life for the honour of his God, his King, and his country.

"Let no man commend me for doing of it, but rather discommend themselves as the cause of it; for if God had not taken away our hearts for our sins, he would not have gone so long unpunished.

"Jo. Felton."*

The King, at the time of the assassination, was staying at Sir Dudley Norton's residence, in the village of Southwick, about four miles from Portsmouth, and

* It is a curious fact, that no writer contemporary with the murder gave a correct copy of this document. It came into the possession of the late Mr. Upcott, and was first published either by Dr. Lingard, or Mr. Brayley, in the "Graphic Illustrator," p. 241, about twelve years since.

the painful intelligence was immediately conveyed thither. Charles was on his knees at the morning prayers; but Sir John Hippesly, regardful of nothing but his appalling message, entered the room and whispered it to the King. His Majesty continued unmoved, and without the least change in his countenance, until prayers were ended, when he abruptly hastened away to his chamber, and throwing himself upon the bed, gave relief to his feelings by an outburst of tears.* There is no reason for doubting that Charles loved his life's companion and friend; and Clarendon records that those who so mistaking the King's public calmness, thought it indicated "that the accident was not very ungrateful," and therefore ventured to disparage the memory of the dead, found to their loss that "the King admitted very few into any degree of trust, who had ever discovered themselves to be the Duke's enemies." Neither was the King willing to temper justice with mercy, in punishing his murderer; for he wished Felton to be tortured; and when this was adjudged unlawful, was urgent to have his hand cut off previously to his being hanged. This misconception of the objects to be aimed at in all punishments was not allowed by the judges to prevail.

Though without confederates, Felton was not without public sympathy. The Puritan patriots esteemed him as a Brutus; and one old woman spoke the common feeling, when, alluding to Buckingham as a slain Goliah, she invoked a blessing upon Felton as "the little David." This heated and mistaken sympathy was not quite restricted to the uneducated; for a bachelor of

* Clarendon's Hist. I. 25.

divinity, and son of Dr. Gill, head master of St. Paul's School, was fined 2000*l.*, and degraded from his ministry and university degree for having drank to the health of Felton, and uttered a regret that himself had not the honour of the deed.

Felton maintained before the Privy Council the same fearless bearing as when he was at first secured. He was again urged to confess who were his fellow-conspirators, and especially whether the Puritan party had suggested the assassination, but his reply was, as before, that no one was cognisant even of his purpose. Dr. Laud, then Bishop of London, intimated that the rack might be employed to obtain a confession; but Felton, with unshaken fortitude and great acumen, replied, that if it must be so, he could not foretell whom he might implicate in the extremity of his agony, "and if what I shall say then must go for truth, I cannot foretell whether you, my lord, or which of your lordships I may name."*

The Council then deliberated whether the laws of England permitted the employment of torture, and the King being present, stated that if they did, he would not use his prerogative to prevent its application. The question was referred to the judges, and their unanimous reply was—"No such punishment is known or allowed by our laws;" and it is now only matter for wonder that any legislators could admit, for the discovery of truth, a practice reducible to no other problem than this: "The force of the muscles and the sensibility of the nerves of an innocent person being given, it

* Rushworth, I. 650. A private letter states, this colloquy at the Council-table was between Felton and the Earl of Dorset.

is required to find the degree of pain necessary to make him confess either himself or others guilty of a crime of which he is totally ignorant."*

Felton, when arraigned, at once pleaded guilty; and holding forth his right hand, requested that that member, as the instrument of the crime, might be first severed from his body. The King sent specially to the judges to inform them, that he wished that additional suffering to be inflicted; but the court rejected the cruel suggestion, replying that the laws defined the penalty to be inflicted, and for all murders the punishment was the same.†

* Rushworth, I. 650. Beccaria on Crimes, c. XVI.

† Ibid. I. 652. Felton was hanged at Tyburn, and afterwards suspended in chains at Portsmouth. He died repentant, and acknowledging that the deed for which he suffered was repugnant to the will of God; but as steadfastly denying that it was suggested by any selfish motive. When he struck the blow he thought he was rescuing his country, and pleaded mentally for his victim.

CHAPTER V.

Successors of Buckingham—Sir T. Wentworth—The Marquis of Hamilton and Dr. Laud—Character of Laud—Prorogation of Parliament—Letters from Ferdinando Fairfax to his Father, Lord Fairfax, at Denton—Letters from Thomas Fairfax, afterwards Parliamentary General, to Lord Fairfax his Grandfather—Letters to the same from Lord Fauconberge and Mulgrave—Letter from Lord Fairfax to the Lord President—Letter from H. Goodricke to Lord Fairfax—Parliament assembles—The Commons continue the same politic course as before—Subsidies of Tonnage and Poundage—The Merchants of England—Richard Chambers fined and imprisoned—Illegal Seizure of Merchandise—The King summones both Houses to Whitehall—His Conciliatory Address—Errors of the Parliament—Care for the Protestant Church—Progress of Popery—Jesuits' College established—Chief Justice Richardson—Spread of Arminianism—Theological Literature censured—Drs. Laud and Neale—Cromwell's first appearance in Parliament—Lord Treasurer Weston attacked—Speaker refuses to put the Question—Retained in the Chair by Mr. Hollis and others—Declaration of the House—Parliament dissolved.

As the people "looked upon the Duke as the only hindrance to the kingdom's happiness," it is no subject for wonder "that men did much, therefore, rejoice at his death."* The popular joy was but brief, for much were they surprised, and ultimately roused to a more direct struggle with the Crown, when they saw "that, though the ship was lightened of Jonas, the storm increased."† Buckingham was but a minister, a ready minister, in counselling and carrying out those principles of monarchical absolutism, in which Charles

* May's History of the Parliament, 13.

† Hackett's Lord Keeper Williams, II. 81.

had been nurtured, and which he cherished as his birthright, to be clung to and handed down intact to his successors. Authorities are abundant which show, that whilst Buckingham lived, but was absent from the Court for any long period, the King himself so suggested the levying of imposts and other modes of raising finances without the consent of Parliament, as would, if known, have much weakened the public hope that despotism would relax its grasp when Buckingham expired. Let one instance suffice. "Steenie" had been long absent in the Isle of Rhé, when the King in a private letter thus wrote to him: "I have set three main projects on foot, besides many small: the Mint, increasing of the customs, by imposing on the book of rates, and raising of a bank. The two first I shall certainly go speedily through withal; the last is most difficult, but I have good hopes of it. So, going to bed, and wishing thee as much happiness and good success as thy own heart can desire, I rest, your loving, &c.

C. R."

"*Windsor, the 13th of August*, 1627."

Buckingham, we repeat, was but a minister, and many were on tip-toe when he fell, to catch the monarch's eye, and ready to obey his first beckon to supply the vacancy. Instead of one Prime Minister, Charles now resolved to avail himself of the services of three. To Wentworth, as already noticed, was assigned the Dictatorship of Ireland; the Marquis of Hamilton was at the helm in Scotland; and Dr. Laud was prime adviser at the English Council-board.

"—— tenuitque inhians tria Cerberus ora."

If our attention were confined to an examination of the qualities possessed by Laud, which fitted him for the office of chief minister of the Crown, there need be but a brief delay before we passed on to other topics; for we know of no others, except probity and an absence of avarice. Narrow in every mental acquirement; uncompromising, unyielding; hasty in temper, and yet permanent in his hatreds; a credulous dreamer of dreams, who "weighed a thing so light in the balance of observation, and needed no other astrology to deceive him but his own superstition;" * a bigoted formalist; and though "a zealot in his heart, both against Popery and Presbytery, yet a great assertor of Church authority,"† the very arch-Puseyite of his era, who, in keeping us clear from the conventicle, preferred our going a little nearer to Rome; no man was more unfitted for the high station to which he was now promoted. He was indeed "the accident of an accident," for he was first raised to ecclesiastical honours and confidence by the Duke of Buckingham, to counterpoise the puritanical tendencies of Williams and Abbot, by his high-church tenets and deep-read divinity; and as Buckingham whilst living thus raised him, so by his death he elevated him still higher.‡ Wentworth alone coincided equally sufficiently

* Hackett's Lord Keeper Williams, II. 86.

† Sir P. Warwick's Memoirs, 79. Clarendon, Heylin, Wood, and other contemporary authorities, have all been consulted for the purpose of ascertaining Laud's character. But the data most relied upon have been his public acts.

‡ Laud, in that very unique autobiography, his "Diary," relates that it was in the May of 1622 that Buckingham "was pleased to enter upon a near respect to him, the particulars of which were not for paper," and, under the date of the following June 15th, he states that he became "C" to the Duke. As Bishop he could not be his "Chaplain," nor is it likely that "Confessor" is intended; yet why use a mere initial for an inoffensive office? He was then

with the high prerogative creed of Charles, and Wentworth, for the reasons already noticed, found some position at a greater distance from Westminster than Whitehall, more agreeable for the exercise of courtly activity. Laud, therefore, succeeded to the chieftainship of the cabinet without a competitor, and like a chieftain did he wield its authority. There is no reason for believing that he erred against the sounder dictates of his conscience, but he wielded his power as if he could not be wrong, and never for an instant allowed that liberty of conscience and opinion to others, which, without limit, he claimed for himself. This was a spirit of conscious infallibility totally unsuited to that age which gave birth to a prevailing class of men of whom Selden, Pym, Hampden, Cromwell, and Eliot, may be taken as the representatives, and who chose for their war-text "Liberty in all things."

Even King James saw the intractable nature of Laud very early in his career, and availed himself of more than one opportunity to warn Buckingham and Charles that he was unsuited for a statesman. "Son," said the King on one occasion, "he has a restless hede, and if ye let him e'er rise higher, he 'll nere ha' done, till he has lost his own hede and endangered yours;" * a foresight that after-events raised to the dignity of a prophecy.

Bishop of St. David's. In 1627 he was made a Privy Councillor; the next year Bishop of London; in 1630 Chancellor of Oxford, and in 1633 Archbishop of Canterbury.

* Burnet's Memorial to Princess Sophia, 55. See also Hackett, I. 64, where James long argued against the promotion of Laud, because, as he said, "I find he hath a restless spirit, and cannot see when matters are well." Lord Keeper Williams then befriended him, yet Laud ungratefully aided in degrading this his early patron.

Parliament, which was to have met on the 20th of October, was prorogued further until the same day of January, 1629, and it then was permitted to assemble. Not that Charles loved this gathering together of the representatives of the people for the advice they tendered, but because money was scarce with him, and he knew not how to fill his coffers without their aid, and there was ground for hope, that now Buckingham was removed, the sternness of opposition might be mitigated. These are no mere imaginary conclusions, for they are confessed in the expressions of bitter disappointment contained in the King's "Declaration of the Causes which moved him to dissolve the Parliament."—The subsidies granted are there declared to have been "scanty," "infinitely short of the occasions," and less than was yielded by former subsidies. The substitute for them sought in the levy of Tonnage and Poundage, which had not been granted by Parliament, was on that ground resisted by the merchants—by few "at first," but by many at last; "fomented by those evil spirits," who led the opposition in the House of Commons. "Whilst the Duke of Buckingham lived, he was charged with all the distempers and ill events of former Parliaments; but now he is dead, no alteration appeared among those envenomed spirits, which troubled, then, the blessed harmony between us and our subjects, and continue still to trouble it." *

Such are the words of the royal "Declaration." Some of the acts of those "envenomed spirits," thus vituperated, are noticed in the following letters:—

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE LORD FAIRFAX, AT HIS HOUSE, DENTON, THESE.

MAY IT PLEASE YOUR LORDSHIP,

MY late coming, and few days I have had in the Parliament, make me a stranger yet to what has been done, or is intended; but I find his Majesty's earnestness to have the bill of Tonnage and Poundage pass, he much suffering in the mean time for its want; and on the other side that the House (conceiving the danger by the growth of Arminianism and countenancing of the professors, to an insensible subversion of the religion now established) intend to prefer that before the other, which doth not a little displease, and portends a long work, or short and abrupt conclusion. I was in hope the mists that formerly hindered our light were cleared, but I fear the times may prove more clouded. Mr. Montague, now Bishop of Chichester, Doctor Mainwaring, Doctor Sibthorpe, and Mr. Cosens, who have disquieted the peace of the Church, the first by his books, the two second by their sermons, and the last by his daily practice, have all of them got their pardon under the great seal, drawn in that ample manner as themselves or learned counsel could devise, for so were the express words of the warrant to the Attorney General. This hindrance of their questioning, and encouragement (as may seem) to divines to walk those steps to preferment, has occasioned the House to declare some explanations of the Thirty-nine Articles, formerly confirmed in Parliament, especially of the seventeenth, which is most

* Rushworth, I. Append. 9.

against Arminius, and yet so understood by many of these divines, as not to be any way repugnant to their tenets; the Articles themselves I send herewith. This work in discussing and explaining these high points displeaseth the Convocation, to whom it chiefly belongs, but that body consisting of Bishops, and such as are chosen by them, promiseth small help in this strait we now are; how we shall get off, God knows. This is now the great business, and indeed the greatest that can concern this kingdom. How it shall work I shall be bold to make you acquainted, though the slow motions of it will not perhaps afford matter for these weekly messengers. The Court has been in mourning for the King of Bohemia's eldest son; my Lord Chamberlain continues his for the loss of his lady on Sunday night last, and my Lord Steward bears that loss with an equal sorrow; the night after died my old Lady Scroope, and it is feared my lord her son cannot long continue.* My Cousin Will was with me yesterday, but speaks nothing of his business, nor I to him. I perceive he bears himself now much by his great kinsman, my Lord Viscount Fairfax, who had his patent delivered yesterday, but of what place in Ireland I know not. His friends say he paid but 900*l.*, but it is most certain it cost him at least 1300*l.*† I could not yet attend my

* Philip Herbert, Earl of Pembroke, was Lord Chamberlain. His deceased wife was a daughter of Edward Vere, Earl of Oxford. "The Lord Steward" was James Stuart, Earl of Richmond. The "old Lady Scroope" was Philadelphia, daughter of Lord Hunsdon. Her son, created Earl of Sunderland, who had been turned out of the Presidency of the North to make way for Wentworth, did not long survive.

† This was Sir Thomas Fairfax of Walton. The Irish title purchased by him was that of Viscount Emly, and it was the precedency thus given over English Barons to these purchasers of peerages that was petitioned against by

Lord Archbishop, for want of some friend known to him who may accompany me: this afternoon I purpose to see him and by the next write his commands. The King's going into Scotland is yet uncertain, though the Parliament there is like to begin in the next month. It is thought there will be no writs sent to those in England, if any be. Your letter to my Lord Chamberlain to move the King, may easily excuse. With the remembrance of my humble duty and best services,

I remain,

Your lordship's humble and obedient son,

FER. FAIRFAX.

From the Pied Bull in the Strand, this 5th of February, 1628. (1629, N.S.).

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER THE LORD FAIRFAX, AT HIS HOUSE, DENTON, THESE.

MAY IT PLEASE YOUR LORDSHIP,

BUT that I resolved not to suffer these weekly messengers to pass without some lines, I had forborne until more business had ministered matter of writing, but pursuing my first intentions I may rather sometimes give you testimony of my desires to serve you in this kind, than any satisfaction of what you expect. The Sheriff of London, Mr. Acton, for not executing the replevin of the merchants' goods, and especially for his slight answering the committee appointed for examining it, was committed to the Tower, but, upon his sorrow

the House of Peers. He married a daughter of Sir Henry Constable, and died in 1636, leaving six sons and five daughters.

and submission, yesterday released. We endeavour to possess the merchants with their goods, which have been violently taken from them before the bill of Tonnage and Poundage receive any reading, but we fear some rubs which may make this Parliament very long, unless it end in such disturbance.

The Lords have had very little to do, and in this their time of ease have fallen very foul upon the foreign honours. They sent to the Signet Office, and there started my cousin's patent,* ready to pass. After they had perused and considered it, they appointed a committee to frame a declaration of their rights, which they instantly voted, and by a petition to his Majesty, seek his confirmation. The noblemen of those nations thought themselves somewhat injured, whereupon they qualified their petition, allowing the natives their right and excluding others, which made them join in the desires. He is much offended that his patent (which I was informed passed the seal two days before, and so wrote in my last) should be the subject of their discourse and humours, and would gladly now go back, but he is engaged for the money and will get no abatement. My Lord Fauconberg was the man that gave him both the wound and the plaister: he occasioned the search and then excused himself in commending his estate and family, wherein he has done himself small honour, and occasioned an injury which may justly work an ill-affection hereafter. The copy of the vote I have sent here inclosed, the petition I cannot yet get.† The King cannot in honour grant

* As Lord Viscount Fairfax. See previous Letter.

† "We conceive that no foreign Nobleman hath any right of precedence within the realm of England before any Peer of this kingdom; yet notwith-

it; if he do, the Barons will not only take place of these Viscounts, but their sons also are resolved to do it, which must needs work much mischief and inconvenience.

The Lords' house is also troubled with the Lords Percy, Clifford, Abergavenny, and Strange, each pretending to be the first Baron. Percy hath been already heard with his counsel, who have proved his barony from the twentieth year of the Conqueror, by good records. Clifford is to be heard on Monday next: the chief contention is betwixt them two, for the two last will yield to the first but not to the other. My Lord Grace of York (Dr. Harsnet) is in the chair for this business, as also for the other. I delivered him your letter, which he took kindly, and willed me to return his thanks for your former care which he understood in calling keepers and bailiffs to account for deer and wood; he desires the continuance of it, and promised at better leisure to return his thanks himself; he desires to know any

standing, of courtesy, precedence hath been allowed to noblemen of foreign kingdoms according to their ranks, which is nowise our intention to alter; but in regard that of late many Englishmen, both by birth, estate, and abode (the more considerable because of the great number), have had feudal honours in the kingdom of Scotland and Ireland, conceived to be prejudicial to the Peers: that which the Committee do in humility offer unto the House, is to consider what way and course is fittest to be taken for addressing ourselves unto his Majesty, for the remedy and redressing of this inconvenience."

The petition may be consulted in Cobbett's Parliamentary History, II. 438, and contains some valid reasons against the practice deprecated. It states that Peers having no estates in Ireland, ought not to have a seat in its Parliament; that by bearing such "foreign titles," Englishmen ought not to benefit by the immunities incident to the peerage; that they do not contribute to Irish imposts, "though they draw to the royal treasury creation money;" and that by such vending, the honour "formerly esteemed above all other rewards," was lessened.

offenders in that kind, and protests an earnest prosecution. It is rumoured here that the King of France hath taken Orange, by the treachery of the Governor: a strong refuge for the Protestants in those parts. Here is yet no apparent likelihood of peace with France nor Spain. My Lord of Clare adviseth to send my son to my Lord Vere's company, at Dort; he saith he may there practise arms, fencing, dancing, and study the mathematics; and my Lord Houghton promiseth his best care over him whilst he is there. He goes over about six weeks hence, and all the companies have order to be ready the 1st of April. I could not resolve anything herein until I knew your lordship's pleasure, and therefore what you shall be pleased to command, I shall carefully observe to my best understanding of your directions; and with my prayers for your happiness, will ever remain,

Your lordship's humble and obedient son,

FER. FAIRFAX.

From Watson's, a Tailor's house, in Woolstable, this 13th of February, 1628.

The son of Sir Ferdinando mentioned by him in the last letter, as about to be placed as a volunteer under the command of Lord Vere, was subsequently the celebrated Sir Thomas Fairfax. The proposal thus to initiate him in military practice was speedily adopted, and the following letter from him to his grandfather is the earliest known specimen of the penmanship of the embryo general of the Parliament. It is dated from Lord Vere's camp:—

TO THE RIGHT HONOURABLE HIS VERY LOVING GRANDFATHER, THE LORD FAIRFAX, AT HIS HOUSE IN DENTON IN YORKSHIRE, THESE.

SIR,

HAVING but little time to write, by reason of our going into the field so soon, I could not write so often as your lordship looks I should do; but it shall be my care not to let pass any opportunity wherein I may show my duty. Sir, we are now before Busse, a town of great strength; all the one side of it is marsh ground, which makes it very strong. We have entrenched ourselves with a running trench round about the town, the Prince on the one side, and Graave Ernest on the other, and have raised seven batteries; there are three schooners belonging to the town, which we must take before we do any good; and we are making mills to draw the water before we can approach the town. They made many shots with their cannon at our first approach, but afterwards we had no shot for four or five days. There came some cannoneers out of the town, and said that their governor had sent their munition to Breda, thinking that we should have gone thither, and they have great want of corn, so that we think we shall not be long about it. We hear that Van Gravendunke, the governor of the town, hath poisoned himself, because that he thought he should not hold out any longer. Count Henericke of the Barke has drawn his forces together; it is thought he will besiege the Graave. We look for the King and Queen of Bohemia this leaguer. Thus with my humble duty I rest,

Your lordship's obedient grandchild,

T. FAIRFAX.

Busse, May 12th, 1629.

The stay of Thomas Fairfax with the troops under Lord Vere, was of no long duration. Their campaigns were either unattended by honour, or they were employed on still more inactive and inglorious garrison duties, which were not at all in unison with his spirit. His return, however, to England was in no way pleasing to his grandfather, and the following letters are evidence that the displeasure was not readily assuaged, it being not improbable that the old gentleman feared his grandson would prove a soldier of no greater repute than his father, Sir Ferdinando. Lord Fairfax, the grandfather, once finding Dr. Matthew, the Archbishop of York, very melancholy, inquired the reason of his Grace's pensiveness. "My Lord," replied the metropolitan, "I have great reason of sorrow with respect to my sons; one having wit, and no grace; another, grace but no wit; and the third, neither wit nor grace to direct him aright." "May it please your Grace," rejoined Lord Fairfax, "your case is sad, but not singular. I am also grievously disappointed in my sons. One (Ferdinando) I sent into the Netherlands, to train him up a soldier, and he makes a tolerable country justice, but is a mere coward at fighting. My next (Henry) I sent to Cambridge, and he proves a good lawyer, but a mere dunce at divinity; and my youngest I sent to the Inns of Court, and he is a good divine, but nobody at the law." "Tom! Tom!" the old nobleman was heard to say to his grandson, "mind thou the battle; thy father is a good man, but a mere coward; all the good I expect is from thee!"*

* Birch MSS. 4460, p. 147.

TO THE RIGHT HONOURABLE HIS VERY LOVING GRANDFATHER, THE LORD FAIRFAX, AT DENTON IN YORKSHIRE, PRESENT.

My Lord,

Let it not seem strange to your lordship, my sudden arrival in England. The reason which did induce me to it was my earnest desire to see the army of Sweden. Yet obedience first taught me to gain your lordship's willingness to it, which, if you please to grant me, as I earnestly beg it, I shall think myself happy; otherwise, if you will dispose of me, I am ready to fulfil your lordship's commands. Many letters have I written unto you, to gain your good will, but as yet received no answer. To live in a country only to know an outward fashion, I am assured is no ways pleasing to you, nor contentment to me; for whilst I lived in France, I only learned the language, and knew war only by an uncertain relation. Since my coming into England, I have received so much encouragement of my friends, and more especially of my noble lord, Vere, which inanimated me much to so worthy an action.

To give your lordship account of things past in France, I am sure my observations would be stale; and since my arrival in England I have known nothing worthy your lordship's knowledge; only the death of my Lord Carleton, Secretary of State, and, as yet, none chosen in his place, but it is thought Sir Francis Cottinton shall be.* The King and Queen are gone to Newmarket, where they intend to stay this lent. Now, finally, there can be nothing more joyful to me than to receive

* Dudley, Lord Carlton and Viscount Dorchester died February 15th, 1631-2.

your lordship's resolutions and certainty of your health, for the which be assured to have the prayers of

Your obedient grandchild,

THO. FAIRFAX.

London, Feb. 22, 1632.

TO THE RIGHT HONOURABLE HIS VERY LOVING UNCLE, THE LORD FAIRFAX, AT DENTON. THESE PRESENT.

MY LORD,

FIRST, I must excuse my not writing this long time, which is no neglect of the respect and service that I owe your lordship; but a stay till I could tell what would become of my troubles, which, as they have gathered, like a snowball, from nothing, so now I hope shortly they will be dissolved again to nothing, without any loss of honour to me at all. In the second place, give me leave to interpose my opinion concerning my cousin, your grandchild, whose sweet condition begets him love of all that know him, and whose well-tempered spirit is inferior to none of his age and quality, so that it were great pity this condition should be altered with discontent, or this spirit dejected with want, since there is no doubt of him for wasting, after he come to more years, it being nothing that he hath exceeded his allowance as the times are now. This much I write because I think he is oppressed with melancholy, which may do him hurt, if it be not purged by heart's ease and liberty.

But I crave pardon for this boldness, which proceeds forth of my love only, well knowing your better judgment

how to dispose of him, which God grant may ever be to his glory and your comfort.—And so I take leave, this 3rd April, 1632.

Your lordship's servant,

FAUCONBERGE.*

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE LORD FAIRFAX, D.D.

MY LORD,

BEING now through distance of our abode, with the age and infirmity growing upon us, deprived of that content which mutually we have enjoyed in the company of one another; I shall be glad to lay hold of any opportunity that may continue the remembrance thereof, so long as we live; but especially when such a messenger as this relating so near unto us both shall be the means of sending unto you: in whom I may tell your lordship I do very much rejoice, and do desire withall (least your lordship and his father may think much at his not presenting his personal duty unto you since his last coming over) to intimate to you both the reasons that moved him to abide in these parts, which were, as he both told me, and I well observed, only the natural *propension* and desire he had to employ some further time in those famous actions now abroad with the King of Sweden. Doubting least his coming into the north might stay him from that course, he rather made choice to sue unto your lordship and his

* Sir Thomas Bellasis, of Newborough, Yorkshire, had been created Baron Fauconberg of Yarum in that county, in 1627. His mother was Ursula Fairfax, sister of the nobleman to whom this letter is addressed. His grandson married a daughter of Oliver Cromwell.

father by his letters, to gain your leaves and allowance thereunto, than by journeying into the country to hazard his return, which he thought being there, would not easily be gained. These I know to be the reasons why he attended you not sooner; which are in my conceit so far from arguing him faulty, or in the least measure negligent of his duty, that I presume your lordship will, with me, conceive him more worthy (for this purpose and inclination) of both our best affections, for I am persuaded if either of us were as he, our desires would be the same; and I approve it in him with much commendation.

Let me further acquaint your lordship, that the time he hath been here, mine eyes have been upon him, and his carriage hath given me such good satisfaction, as I am confident (God blessing him) he will be a comfort to us both, and a joy to his friends who shall longer enjoy him; which that he may be, I request your lordship, not only yourself to countenance and encourage him, but also to join with me in praying to God to continue his graces towards him, and perfect his blessings already begun; with which I will conclude and rest

Your lordship's most affectionate friend to command,

MULGRAVE.*

Hammersmith, April 9th, 1632.

* This sterling specimen of England's aristocracy in Elizabeth's reign was connected with the Fairfax family by his daughter, Lady Mary Sheffield, who married Sir Ferdinando Fairfax. He had been knighted by the Admiral, for his gallantry in action against the Spanish Armada, and the Queen made him Governor of Brill and a Knight of the Garter. In the reign of James he was Lord President of the North, and in 1625 Charles raised him to the peerage as Earl Mulgrave. He died in 1646, aged fourscore years.

The desire which the young hero of the family had expressed to join the army of Sweden, then actively engaged under its romantically brave general, Gustavus Horn, against the Kings of Hungary and Spain, was not allowed to prevail. His father and grandfather saw the gathering storm which so shortly after burst upon and devastated England. Even some time previously, as appears by the following letter from Lord Fairfax, as a Deputy Lieutenant, to the Lord President of the North, Wentworth, a more than ordinary examination had been made into the military state of the kingdom, and at that time no thought of active opposition to the King was in the contemplation of the Fairfax family. To what Wentworth was looking forward when he directed the inquiry may be more doubtful.

TO MY LORD PRESIDENT, 1628.

RIGHT HONOURABLE,

ACCORDING to your lordship's directions to us, your deputy lieutenants, we have taken an exact view of all the armed forces of the county, and do find those six thousand of the common charge (which are called the trained bands) complete in numbers and arms reasonably sufficient, so as we may account them serviceable, being disciplined. The other six thousand of the Private not so full, neither can we make them so by our best endeavours, because those freeholders (in regard of the poverty of others) must necessarily contribute to the charges of the common, as well as to their own, so as we are inforced to assign in some places (where men be very poor) two to furnish one

arms, in other three; yet doth not this suffice, for men do die daily leaving their estates to their widows and children divided, or consume their means by one occasion or other, and so the work is ever in doing, but never done. Yet have we, notwithstanding the complaints of many, and the grief of our own hearts (knowing under what burden they do groan) charged men for furnishing of the defaults of the Private, but without hopes that ever many of them will be serviceable; and yet, since your honour's coming to your lieutenancy, we can truly affirm that the numbers both of men and good arms do much exceed those of any former times.*

May it please your honour to take into consideration that the necessary charges of training all the forces wherewith this county is now charged, doth amount unto more than ten thousand pounds per annum. How we do, and shall undergo this, your lordship can imagine; and yet in this account there is not anything for officers' entertainments; your lordship knows that this great army, without skilful men to order, it is but an unuseful bulk. Would his Majesty be pleased to proportion us for numbers of arms as the other counties of this kingdom, we would cheerfully undergo the burden, and give entertainments to such to exercise our men as are skilful in the art military, so should his Highness have a better army, your lordship command a better, or we more fortified, or less charged.

FAIRFAX.

* The Trained Bands, like the more modern Militia, were armed and accoutred at the public expense. "Those of the Private" were more resembling our yeomanry, one person, or two persons between them, finding a soldier and his accoutrements.

Wentworth was not contented with the report of others, but proceeded to make the inspection which he promised, though delayed, as mentioned in the following letter from Sir Henry Goodrich:

TO THE RIGHT HONOURABLE MY VERY GOOD LORD THE LORD FAIRFAX, AT DENTON. THESE.

I HAVE received your lordship's letter this instant 9 of June, and rest with your lordship in suspense what to do in this case; for I have heard nothing since my Lord Lieutenant's letter of the 25th of March last, touching this business, wherein his lordship intimates his purpose to take the view himself, so that (in my opinion) it is probable he would have signified his pleasure to us, if he would not have observed the time himself. What course is taken in other counties I do not hear; but if there be any countermand given, I desire to know in what kind, whether it be to stay their appearance at York only, (which was the intent and tenure of the first summons, to my remembrance), or to stay their appearance there, and take the view within the counties severally; for that might give some light what might be expected here. I never saw the former letter of the 30th of January, which my lord mentions, so that by the contents thereof a man might guess whether his lordship expects this service to be done by his deputies or no; but because the summons was (as I heard) for divers other shires to appear at York, and that there was an expectation of some other person to come down with power to take the view, I much doubt whether it may belong to any his deputy lieutenants to do or no.

I dare not advise what to do in this case; only I resolve to send my men and horses as well furnished as I can, to be there attendant. And thus, with the remembrance of my love and service to your lordship, I rest

Your lordship's to be disposed,

HEN. GOODRICKE.*

Ribston, 9th of June, 1628.

These letters recal us to the period from which we have somewhat diverged—the re-assembly of the Parliament, in the January of 1629. On the 20th of that month they met, and were too wise and wary not to continue the same politic course, by which alone they had won the Petition of Right in the preceding session. The King and his advisers knew full well, that they had set the law at defiance, and had been levying Tonnage and Poundage not only without its sanction, but despite its prohibition. Now that the "envenomed spirits," as the King termed the leaders of the House of Commons, were gathered together, and the dread of their stings was upon him, he summoned together his Privy Council, to prepare for coming mortifications. Instead of the statesmanlike detail of measures for the public good, taken in accordance with the law, the Executive (exposed to public obloquy) was exhibited in the unbecoming position of quibbling, excusing, and pleading for an act

* Henry Goodricke, son of Sir John Goodricke, succeeded to the baronetcy, and became one of Charles the Second's Ministers. He was a Privy Councillor, Lieutenant General of the Ordnance, and Envoy Extraordinary to the Court of Spain. He died at a very advanced age in 1705. His father suffered much in the Royalist cause during the Civil War, but eventually escaped from the Tower into France. By his second marriage to the Dowager Viscountess Fairfax, the two families became connected.

of oblivion for outrages committed against the liberty of the subject.

That the King knew that he had been acting unconstitutionally was confessed by his directing an Act granting him Tonnage and Poundage to be prepared and so worded as to relate to the whole previous period of his reign, and by his instructing such of his Privy Council as were members of the Commons to assure the House, if the disagreeable admission were necessary, that "his Majesty will do any reasonable thing to declare that he claims not Tonnage and Poundage otherwise than by grant of Parliament."*

The Act, worded so as to have retrospective operation from the day of the King's accession, would afford by implication, pardon for past outrage; and to induce the House to assent to its enactment, it was to be urged that Tonnage and Poundage had been taken only *de bene esse*, the King being assured that the Parliament would grant that source of revenue to him as they had done to his predecessors.

This strange justification could no more mollify reformers who found, in the withholding of supplies, the most effective engine to enforce redress, than a child could be saved from punishment, by the plea that he took what he desired because he thought it would be given. It was in vain to urge such excuses upon the Commons. They had refused to grant this source of revenue for more than one year; and the King had assented to the Petition of Right, which expressed, in terms not to be mistaken, that he should levy no tax without the previous assent of Parliament. The Commons were fully justified, then, in passing, even in the very hour of

* Rushworth, I. 654.

their dissolution, those unflinching and memorable resolutions:

"WHOSOEVER shall council or advise the taking and levying of the subsidies of Tonnage and Poundage, not being granted by Parliament, or shall be an actor or instrument therein, shall be reputed an innovator in the government, and a capital enemy to this kingdom and commonwealth. And if any merchant or other person whatsoever shall voluntarily yield or pay the said subsidies, not being granted by Parliament, he shall likewise be reputed a betrayer of the liberties of England and an enemy of the same."*

Nobly did the merchants of England respond to this appeal for their support to the constitution.† Richard Chambers, "the City of London Merchant," an emphatic designation earned by his wealth, fearlessness and integrity, may serve as an example of the determined opposition made by the commercial community to those unparliamentary imposts. He was summoned, with some others, to the Council-board, then sitting at Hampton Court, and stood forth there to justify his refusal. He complained that his merchandise had been seized, and all opportunity denied him of disputing the legality of the levy, and that this and the insolencies of the inferior officers was such, that "merchants in no part of the world were so screwed and wrung as in England;—even in Turkey they had more encouragement." For this daring, (construed into an attempt "to set discord between his Majesty and his good people,)"

* Rushworth, I. 670.

† More than five hundred merchants refused to pay this unparliamentary impost.—*Parl. Hist.* II. 467.

though uttered in argument before the Council, the bold merchant was committed to the Marshalsea; and being brought before the Court of Star Chamber he was fined 2000*l.* for "intending to make the people believe that the King's happy government may be termed Turkish tyranny;"* and the lesson taught by this fact is not without point, that though many of the judges of the court were for imposing a fine of only one-fourth the amount inflicted, Dr. Laud and Dr. Neal, the Bishops of London and Winchester, were among those who were least inclined to leniency and mercy—they voted for a fine of 3000*l.*† But this punishment so totally in excess of the act committed, for it was no offence, did not satisfy that black tribunal, and they called upon him also to sign an acknowledgment of it, and a confession of sorrow that what he had said was "insolent, contemptuous, seditious, false, and malicious." Chambers took the pen, and wrote beneath the proffered confession these words,—"All the above contents and submissions, I, Richard Chambers, do utterly abhor and detest, as most unjust and false, and never, to death, will acknowledge any part thereof;" adding, among other quotations from Scripture this denunciation by the prophet.—"Woe to them that devise iniquity, because it is in the power of their hand: and they covet fields, and take them by violence; and houses, and take them away; so they oppress a man and his house, even a man and his heritage."‡ A quotation fully justified

* Rushworth, I. 681.

† Ibid. I. 682. Laud, with the appropriate narrow wit of a punster, when aggravating the case to the King, observed, "If your Majesty had many such Chambers, you would soon have no chamber to rest in."—*History of the Times and Troubles of Laud.*

‡ Micah, II. 1, 2; Rushworth, 683.

by the suffering and ruin visited upon himself, for throughout six years he was imprisoned in the Fleet, for nine months he was similarly incarcerated in Newgate for resisting the payment of Ship-money, and more than 7000*l.* worth of his merchandise was seized.*

The illegal enforcement of Tonnage and Poundage was brought most prominently to the notice of the Commons, by being levied, during the recess, upon the goods of one of their own members. In his case, 5000*l.* worth of merchandise was seized, though the impost claimed was but 200*l.*; and the officer, when brought before the House, boldly acknowledged that when he made the seizure, he knew that their owner, Mr. Rolle, was "a Parliament man, and that he told him he did not find any Parliament-man exempted in the commission; and, if all the body of the Commons were in him, he would not deliver the goods."†

There had been no speech from the throne at the opening of the session, but the stern notice taken of this illegal seizure induced the King to summon both Houses before him at Whitehall; and there, in a conciliatory address, to explain "the necessity, not the right, by which he was to take Tonnage and Poundage, until they had granted it!" He then asked them to pass, without loss of time, the bill legalising the levy, and thus to close all questions arising upon the subject.‡ But the House, not so readily pacified, proceeded to

* Rushworth, I. 687. This unyielding citizen, at length died infirm, and "of low estate," in 1658, aged seventy. The Parliament seems to have neglected his claims to recompense, until it was too late. He had served the city as alderman and sheriff in 1644, and had put himself at the head of a troop of horse in the service of the Parliament.

† Parl. Hist. II. 478. ‡ Ibid. 443.

search out for a mode of punishing the offenders. The legal acuteness of Noy detected that the commission of the custom-house officers gave them no power to seize the goods of the tonnage recusants, and the little minds of Sir Humphry May and Mr. Secretary Cooke caught with avidity at the suggestion, that the subordinates might be thus rendered the scapegoats.* But baseness of that character was not among their master's faults; and he commanded them to announce to the House that "it concerned in a high degree his justice and honour that the truth be not concealed, that what those officers did was by his own, or the Council-board's direct orders and commands, himself being present, and therefore he would not have it divided from his act." This was nobly done, and must have commanded the respect it deserved even from his most uncompromising opponents; but that which had the bearing of magnanimity, assumed a far different aspect when coupled with another step of the revenue collectors, for the outrages upon Mr. Rolle and against his property were repeated, even while these debates as to the legality of the imposts were in agitation.

The House was astounded by the announcement by that gentleman, that since he had complained to the House his warehouse had been closed by a pursuivant and himself subpœnaed to appear in the Star-Chamber. It is true that both the Attorney-General and Sir Humphry May announced this to be a mistake; but even Mr. Selden, though he was more temperate than most men, declared his belief that it was no error, but

* Parl. Hist. II. 481. Sir Humphry May was Chancellor of the Duchy, and Sir John Coke Secretary of State.

daringly done as an affront, and ventured upon because the House was lenient. In this last conclusion Selden was right, for it was a mistake only as to time. The warrant and the subpœna had been prepared, predetermined to be put in operation; the only error was in enforcing them at an unseasonable period.

The House of Commons committed some trespasses in their anxiety to prevent such an infringement of the liberty of the subject, and of their own supreme power over the public purse. They had no right to interfere with the proceedings in the Court of Exchequer; and they were quite wrong in asserting that exemption from seizure was a privilege, extending to the goods as well as to the persons of their members. But they were quite right in only insisting, with becoming dignity, that before they entered upon the consideration of granting Tonnage and Poundage, all seizures made by the Council's illegal warrants should be given up, and all proceedings upon them abandoned; for as Mr. Noy justly observed, "if the subsidies are the King's already, as by their new records they seem to be, we need not give them."

Care for the preservation of the Protestant Church, and determined enmity to every act calculated to encourage the Roman Catholic religion in these realms, was another prominent characteristic of this session. Some of the causes which roused this zeal to increased activity, were noticed in the letters of Sir Ferdinando Fairfax,† but there were many other sources of jealousy which they pressed, without reserve, upon the attention of Charles. They reminded him that in Scotland "the

* Parl. Hist. II. 462.

† See page 155.

Popish party," (and Laud, we shall see, sided with this,) were "not a little disquieting that famous (Presbyterian) Church:" that Ireland was "almost wholly overspread with Popery, swarming with friars, priests, and Jesuits; and that in Dublin, where not many years since there were few who refused to frequent a church, there were lately restored and erected for friars, jesuits, and idolatrous mass-priests, thirteen houses, being more in number than its parish churches:" that in England, though during Queen Elizabeth's reign there were in some counties no known Popish recusants, yet they now amounted to thousands; and for this the causes were easily assignable, if the tolerated resort to mass even in the Queen's court, and the late erection of a Jesuit's College at Clerkenwell were regarded.*

The Jesuits' college was first established at Edmonton; lands for its endowment were purchased, its rules prepared, and its library and reliquary furnished; thence it was removed to Camberwell, and finally to Clerkenwell. Being then brought to the King's notice, he referred it to his Privy Council, and the ten Jesuit professors were committed to Newgate: some were brought to trial and condemned, but all were pardoned. In this Charles was wiser than those who sought to sustain the Church by persecution, and none but a bigot will seek for any other justification of the King than this brief one by Mr. Secretary Cooke—"His Majesty being merciful

* Sir Walter Earle said, "If we speak not now, we may for ever hold our peace, when, besides the Queen's mass, there are two other masses daily in her Court, so that it is now an undisguised inquiry and common in discourse, 'Have you been to mass at Somerset House?' Five hundred resort thither at a time."—*Parl. Hist.* II. 468; *Fairfax MSS.*

in a case of blood, gave directions for reprieving the condemned priests." * Inquiries were made tending to implicate the judges, but the only member of the bench against whom even a suspicion was justified of having acted unfaithfully as an administrator of the law, was the Chief Justice of the Common Pleas, Sir Thomas Richardson, of whom a committee reported, (Selden being its chairman,) "that the evidence tendered, clearly proved the prisoners to be priests, but that the Chief Justice rejected it, contrary to the sense of the rest of the judges and justices present, whereby it is plain that he dealt underhand with some of the Jesuits.†"

The Commons further pressed upon the King the "pernicious spreading of the Arminian faction," which, as Sir Ferdinando Fairfax expressed the common opinion, tended "to an insensible subversion of the religion now established."

The conduct of the Government and of the clergy, encouraging Arminianism, and tending "to incline men to Popery," was strikingly similar to that which has roused the Church in the present century to enter its protest against Puseyism, and was thus held up to reprehension by the Commons—"Some are bold and unwarranted in introducing practices, and defending new ceremonies, without authority, in conformity to the Church of Rome; erecting altars; changing the usual

* Parl. Hist. II. 474.

† Ibid. 475. The conclusion arrived at by the committee is not so "plain" to us as to them; and, after looking at the replies of the judges, it is much more evident, that there was no legal proof of the prisoners being priests. So far from Sir T. Richardson's favouring papist practices, he made an order for the suppression of wakes and ale-meetings on Sunday; "and Bishop Laud complaining of it to the King, the judge was checked."—*Whitelocke*, 16.

manner of placing the communion table, setting it at the upper end of the chancel; adorning it with candlesticks; also, making obeisance thereto; and praying towards the East, &c."

The theological literature of the day did not escape without just censure. Sir Ferdinando Fairfax named some of the authors, and a portion of their works has already been noticed. Dr. Montague had published his "Appeal to Cæsar"—"The Gagg," and "On the Invocation of Saints," yet he had been promoted to the Bishopric of Chichester. Dr. Roger Mainwaring was fined and censured by the House for "endeavouring to destroy the King and kingdom by his divinity;" but by the instrumentality of Laud he was pardoned and promoted, ultimately obtaining the deanery of Worcester and the see of St. David's:—"Though (with Sibthorpe) accounted a sycophant by the Puritans, yet by the Royalists he was esteemed worthy of the function of a bishop," says Anthony Wood, without expressing an opinion as to which were correct in their estimate.* Dr. Sibthorpe has already passed under our notice, and the Commons now again cited him as popishly inclined, as well as Dr. Cosins, whose "Horary" savoured of Rome, and whose innovations in the Church Service were matter of public accusation, but who was made, notwithing, Dean of Peterborough.† Some other ecclesiastics of minor importance were in like manner reprobated, but the chief attack was directed against Dr. Laud, whom

* Athenæ Oxonienses, II. 1141.

† The works of Dr. Cosins, certainly, are not opposed to Romanism; but he was so little acceptable to the Queen, that she wished to remove him from the chaplaincy he held in her household at Paris, where he officiated to its Protestant members.—*Clarendon's Hist.* III. 324.

the Commons charged home with having the car of Charles in all ecclesiastical affairs, to the "discountenancing and hindering the preferment of those who were orthodox, and to the favour of such as are contrary."* Against him the voice of the House rose loud and general. Sir James Perrot pointed out the bishop's chaplain, as one who had disputed in favour of the Arminian tenets; whilst others, and among them Mr. Kirton, and Sir John Eliot declared that "in this Laud was contracted all the danger they feared." †

Dr. Richard Neale, Bishop of Winchester, was another of the prelates most reprobated by the House, for his patronage of Popish doctrines; and there is evidence that he inclined that way more than any of his brethren of the episcopal bench. It was in advancing the charges against this bishop, that one who ruled the Stuart destinies first addressed the House of Commons; and we feel satisfied that we have a faithful portraiture of this great man, as he appeared when he first attracted public notice, in the following sketch by the pen of Sir Philip Warwick:—"I came one morning into the House, and perceived a gentleman speaking, whom I knew not, very ordinarily apparelled. It was a plain cloth suit, which seemed to have been made by an ill country tailor; his linen was plain, and not very clean, and I remember a speck or two of blood upon his little band, which was not much longer than his collar. His hat was without a hat-band; his sword stuck close to his side; his stature was of a good size; his countenance swollen and reddish; his voice sharp and untunable; and his eloquence full of fervour." ‡

* Parl. Hist. II. 486. † Ibid. 460. ‡ Warwick's Memoirs, 247.

This man in "a plain cloth suit" was OLIVER CROMWELL; and he told the House of a Dr. Alabaster, who "had preached flat Popery at St. Paul's Cross, and that the Bishop of Winchester commanded him, as he was his diocesan, he should preach nothing to the contrary."*

The great debate involving the condemnation of Dr. Laud, and the ecclesiastical administration of the country, occurred upon the 23rd of February, 1629, and it fixed the King in his resolution again to dissolve the Parliament. In his eyes, accustomed to view every proposed reform of the kingly government as an unwarrantable attempt at popular innovation, this series of detected misrule savoured of presumption and revolution. It had never been a part of Stuart education, that the dictum, "a king can do no wrong," was a mere legal fiction.

These renewed and apparently ever re-commencing searches after abuses—these delays and disregards of his repeated monitions to grant him Tonnage and Poundage—could be brooked no longer, so the King commanded the House to adjourn for a week. This was

* Parl. Hist. II. 464. Cromwell was now representative of the town of Huntingdon. That he was careless of his costume is certain, because even Hampden, less of a carpet knight than Warwick, thus spoke of him in answer to a query from Lord Digby:—"That slovenly fellow before us, who hath no ornament in his speech—that sloven, if we should ever come to have a breach with the King (which God forbid)—that sloven, in such case, will be one of the greatest men of England."—*Bulstrode's Memoirs*, 193. There must have been in Cromwell an aspect, a soundness of judgment, and a firmness of purpose, unmistakeably indicative of a character commanding selection for a leadership in seasons of difficulty; otherwise, observers so opposite as Warwick, Hampden, and Lord Keeper Williams, would not have coincided in their anticipations of his future greatness. The statesman last named warned Charles, at the very commencement of the civil strife, that though Cromwell was then "of mean rank, he would climb higher."—*Phillips' Life of Lord Keeper Williams*, 290.

known to be a warning that a dissolution was approaching; it was known, too, who counselled this resolve, and Sir John Eliot determined that the councillor should not escape entirely the storm which had been gathering for his overthrow. "That councillor," said Eliot, "is the Lord Treasurer (Weston), in whose person is all evil contracted, both for the innovation of our religion and the invasion of our liberties. He is the great enemy of the commonwealth. I have traced him in all his actions, and I find him building on those grounds laid by his master, the great Duke. He is secretly moving for this interruption, and they go about to break parliaments, lest parliaments should break them. I find him the head of all that party—the Papists; and all the Jesuits and priests derive from him their shelter and protection." "I protest," added the kindling patriot, "I protest, as I am a gentleman, if my fortune be ever again to meet in this honourable assembly, that where I now leave off I will again begin."* "Coming events" seem to have overshadowed him as he spoke: the doubt whether he should ever appear again within those walls, was one of the whispers of that unrecognised sense which reveals to us, the future, as it were by anticipation, for tyrant despotism hurried him from the Parliament to that prison, from which it refused to permit even his corpse to be withdrawn.

That second of March, the last day of the Parliament, was not to close even with that impassioned denunciation. Events more stirring were on its heel. When Eliot resumed his seat, the Speaker rose and said, the King desired their adjournment "until Tuesday

* Parl. Hist. II. 487.

come seven-night following;" but the House refused to obey this interference with its privileges, and the Speaker was told "that it was not his office to deliver any such command, for the adjournment of the House belonged to themselves; and that after they had settled some things they thought convenient to be spoken of, they would satisfy the King." *

The subject which was considered desirable "to be spoken of" was Tonnage and Poundage; and Sir John Eliot again rose to propose for the adoption of the House, the remonstrance already quoted, declaratory that "the receiving of those and other impositions, not granted by Parliament, is a breach of the fundamental liberties of this kingdom, and contrary to the Petition of Right."

Eliot himself read that remonstrance, for neither the Speaker nor the Clerk of the House would perform the office; and he concluded by moving for its adoption and presentation to the King. But when the Speaker was requested to put the question, that it be adopted, he refused, adding, that "He was commanded otherwise by the King."

Selden then rose, and thus addressed him:—

"Mr. Speaker, dare you not put the question when we command you? If you will not, we must sit still, and so we shall do nothing; for they that come after you may plead a similar excuse. We sit here by command from the King, under the Great Seal; and as for you, you are by his Majesty's command, sitting on his throne before both Houses, appointed our Speaker. Do you now refuse to be our Speaker?"

* Parl. Hist. II. 488.

This rational appeal could not alter his determination. He replied, "he had an express command from the King, as soon as he had delivered his message, to rise;" and so saying, he attempted to leave the chair, but was retained in it by Mr. Hollis (son of the Earl of Clare), Mr. Valentine, and other members. Sir Thomas Edmonds, and others of the Privy Council, endeavoured to release the Speaker, but Mr. Hollis swore, "By God's wounds! he should sit still until it pleased the House to rise."

The tumult in the House was great and disgraceful; disgraceful because the opinion against the Speaker should have been unanimous. The Court party vociferously opposed the question being put; and the friends of the privileges of the House supported it by counter-acclamations. Even blows were exchanged, and many laid their hands upon their sword-hilts. In the lobbies it was believed that swords were drawn, for in a manuscript letter of the period, it is stated that a Welsh servant came in great haste, and endeavoured to gain admittance at the door, saying, "I pray you let hur in; let hur in to give hur master his sword."*

The Speaker wept bitterly, whilst he declared that he dared not put the question; but his tears were not for the trampled liberties of his country:—they were the abject confession of fear for his own interests. He was the creature of the Court, and instead of daring to disregard its frowns by performing his duty to England, he implored the House not to force him to his ruin; reminded it that he had been a faithful servant; and concluded by saying, what his conduct belied, that he

* D'Israeli's Curiosities of Literature (2nd series) III. 426.

was ready to die for his country, but, (which was more true,) he dared not offend against the commands of his Sovereign.

Selden felt that this pusillanimity was more worthy of contempt than pity, and told him "that he had ever loved his person well, but he could not choose but blame him now, being the servant of the House, that he should refuse their command under any colour. His obstinacy would be a precedent to posterity, if it went unpunished; for, hereafter, if they should meet with a dishonest Speaker, and they could not promise themselves to the contrary, he might, under pretence of the King's command, refuse to propose the business and intendment of the House."

Sir Peter Hayman was still more severe in his reproval. He told the Speaker "he was sorry he was his kinsman, for that he was a disgrace to his country, and a blot upon a noble family; that all the inconveniences, or even destruction, that should follow, would come upon posterity as the issue of his baseness, and that he would be remembered with scorn and disdain." He concluded with declaring his opinion, that the refractory Speaker ought to be called to the bar, and a new Speaker chosen.

All these arguments, reproaches, and threats were in vain; the recreant Speaker returned only tears and pusillanimous entreaties. Finally, Mr. Hollis was called upon to read three protestations, which stated that whoever caused an innovation of religion, advised the imposition of Tonnage and Poundage without the assent of Parliament, or whoever voluntarily paid it, if levied without such sanction, would be a capital enemy of this kingdom,

and a betrayer of its liberty. The House having agreed to these declarations, adjourned.

During these exciting proceedings, the King, hearing that the House persisted in sitting, sent a messenger to command the Serjeant to bring away the mace, but the House would not permit this formal suspension of its proceedings. His Majesty then sent a summons to them, by the Usher of the Black Rod, but he was denied admittance. Enraged at this opposition, Charles sent for a guard to force the door; but fortunately the House had risen before it arrived.*

On the 10th of March the King came to the House of Lords, where the Peers were assembled in their robes, and dissolved the Parliament. Many members of the Commons were present, but they had not been summoned to attend the ceremony, nor was their Speaker in attendance. To them, and to them alone, Charles attributed this termination of the Parliament, not that he blamed them indiscriminately, for he said, "As I know there are many as dutiful and loyal subjects as any are in the world, so I know that it was only some vipers amongst them that had cast this mist of difference before their eyes. As those evil-affected persons must look for their rewards, so you that are of the higher House may justly claim from me that protection and favour that a good king oweth to his loyal and faithful nobility."

Thus closed this third and eventful Parliament of Charles the First, a Parliament whose only offence was that of seeking reform less courteously than the King could tolerate. By adversity the friends of popular

* Parl. Hist. II. 491; Life of Selden, 169; Rushworth, I. 670.

liberty had been taught to combine into an effective body—the first Opposition party known in our political history; and they had learned also that the most certain mode of carrying their measures was to stop the supplies, until acquiescence from the Court was secured. This was the King's severest visitation; for it was the transition-step from absolutism to a limited monarchy. He spurned the attempt: he declared as he laid aside the robes he wore at the dissolution, that he would never resume them.* For eleven years he adhered to that resolution, and we shall now see how the realm was governed during that period of despotism.

* D'Israeli's Charles the First, II. 256.

CHAPTER VI.

Clarendon's opinion of the Government.—Sir John Eliot and others arrested.—Examined before the Privy Council.—And at the Tower.—Prosecuted in the Star Chamber.—Selden's defence.—Attorney General's reply.—Favourable opinion of the Judges.—The King removes the prisoners.—Infatuated conduct of the Court.—Solitary confinement of the prisoners.—Indicted in the Court of King's Bench.—Sir Allan Apsley.—Prisoners decline finding sureties.—Fines imposed.—Treatment voted illegal.—Cruelty to Sir John Eliot.—His death.—Prosecution of Sir Robert Cotton and others.—His library sealed.—His death.—The proposal of a Parliament forbidden.—Peace with France and Spain.—Instructions to the Subsidy Commissioners.—Knighthood-money.—Revival of Forest Laws.—Appendage of land to cottages.—Tonnage and Poundage doubled.—Fines on monopolies.—The Soap Monopoly.—Ship Money.—The first Writ.—John Hampden.—Argument of his case.—Judges' opinion.—Michael Wentworth to Lord Fairfax.—Lord Savile's case.—Bladen to Lord Fairfax.—Dr. Duppa.—Fairfax coat of arms.—Mr. Bellasis released.—Bushen's case.—Sir Giles Allington's case.—Lord Audley's execution.—Dr. Neale translated to York.—Death of Lady Wentworth.—Ferdinando Fairfax to Lord Fairfax.—Sir Thomas Herbert to Lord Fairfax.—French news.—Falconberg to Lord Fairfax.—Birth of Princess Mary.—Vavasour to Lord Fairfax.—Clifford to the same. Earl of Newcastle's promotion.—Lawson to Lord Fairfax.—Ferdinando Fairfax to the same.—Wentworth's reproval of him.—Morris to Lord Fairfax.—Wentworth's Irish government.—Bladen to Lord Fairfax.—Dr. Bramhall.—Christopher Herbert to Lord Fairfax.—Hutton to Ferdinando Fairfax.—Marriage of Lord Weston's daughter.—Lord Savile's character.—Ferdinando Fairfax to Lord Fairfax.—Sir John Melton.—Charles Fairfax to Lord Fairfax.—Affairs of the Palatinate of the Low Countries.—Biography of C. Fairfax.—T. Herbert to Lord Fairfax.—German news. Sir John Gibson to Lord Fairfax.—Mr. Goring's promotion.—The celebrated Countess of Pembroke to Lord Fairfax.—T. Herbert to Lord Fairfax.—French affairs.—Outrage on the Pope's nuncio.—W. Sheffield to Lord Fairfax.—Promotion of Mr. Littleton.—Removal of Chief Justice Heath.

WITH a knowledge of the facts detailed in the preceding chapters, having lived and mingled with those

to whom they most intimately related, Clarendon still ventured to advance, as a grave historical truth, that "many wise men thought it a time wherein those two adjuncts which Nerva was deified for uniting,—*Imperium et Libertas*, were as well reconciled as is possible." We know not who those "wise men" may have been; but we can feel no surprise that even in those days the less courtly portion of the community declined to accept their judgment with respect to the relative proportions which should subsist between the prerogative of the ruler and the liberty of the ruled.

Casting an onward gaze over the times immediately following those which we have just passed, the same aristocratic historian tells us that "the King was resolved now to try if he could not give his people a taste of happiness, and let them see the equity of his government in a single state." Clarendon would have us believe that Charles succeeded to the entire satisfaction of the people; and "that the like peace and plenty, and universal tranquillity for ten years was never enjoyed by any nation," yet at the end of those ten years they were in arms, nor did they lay them down until they had brought him to his death.

The first "taste of happiness" Charles gave to his people, even before the Parliament was dissolved, was to issue warrants against those, who had been most strenuous in defence of their liberties. These warrants were directed from the Privy Council to Sir John Eliot, Sir Miles Hobart, and Sir Peter Hayman, and to Denzil Holles, William Coriton, Walter Long, William Strode, Benjamin Valentine, and John Selden, Esquires, commanding their appearance at the Council-board on the following day.

The four first named obeyed the summons.

The Privy Council inquired of Mr. Holles, why, on the day of the tumult in the House of Commons, he had placed himself, contrary to custom, above the privy councillors, and next to the Speaker's chair? To which he replied, "That at some other times as well as then, he seated himself in the same place; and as for sitting above the privy councillors, he considered he was entitled to do so in any place, unless at the Council-board. He went to the House with a zeal to do the King service equal to that of any of its members; but finding his Majesty was offended with what he had done, "he humbly desired that he might rather be the subject of his mercy than of his power."

"You mean," said the Lord Treasurer Weston, "of his Majesty's mercy rather than of his justice."

Mr. Holles, however, disavowed this acknowledgment of guilt by replying, "I say of his Majesty's power, my lord."

Sir John Eliot was questioned concerning certain speeches he had uttered, and the papers he had read in the House; but in his reply he was quite as free from pusillanimity as Mr. Holles. "Whatever was said or done by me in that place and at that time," he rejoined, "was performed by me as a public man, and as a member of that House; and I am, and always shall be, ready to give an account of my sayings and doings there, whenever I shall be called unto it by that House; where, as I take it, it is only to be questioned. In the meantime, being now but a private individual, I will not trouble myself to remember what I have either spoken or done in that place as a public man."

Sir Miles Hobart was equally uncompromising. He desired to know by what warrant he could be called upon to account for his conduct in Parliament; and insisted that, for anything done there, Parliament itself could alone inquire. He acknowledged that he shut the door of the House on the day in question, and that having locked it, he put the key into his pocket, because the House so directed him.

Sir Peter Hayman, in reply to the Council, said, that he reproved the Speaker,* because the Speaker, as the servant of the House, ought to have obeyed its command. If the King had directed him, being in the Speaker's chair, to deliver such a message, he should have requested his Majesty to select some other person to communicate it to the House.

In conclusion, these four gentlemen were committed close prisoners to the Tower, where Selden and the others, with the exception of Mr. Strode and Mr. Long, soon joined them. The studies of Sir John Eliot, of Mr. Holles, and of Selden, were sealed up; and a proclamation being issued for the apprehension of the two who had not appeared, they were soon after taken, and committed to the King's Bench Prison.†

After Selden and his fellow-prisoners had been about two weeks in confinement, they were subjected to a very strict examination before the Earls of Arundel, Dorset, and Manchester, who came to the Tower, with

* Sir John Finch, the Speaker, whose pusillanimous conduct the House, both at this and other times, had cause to reprehend, was a tool of the Court party. He was subsequently made Lord Keeper of the Great Seal, and created Lord Fordwich; but when the Parliament became predominant, he was accused of high treason, and fled from its authority into Holland.

† In 1641, the House of Commons voted that all these proceedings were breaches of privilege.—*Parl. Hist.* IX. 465.

others of the Privy Council. Sir Robert Heath, the Attorney General, examined them upon questions which had been previously prepared. Selden says, that he was chiefly interrogated as to his opinion concerning Ship-money being part of the royal prerogative; and that to the questions he answered so ingenuously, that he hoped to obtain a speedy liberation. But that hope altogether deceived him.*

Conduct so inquisitorial, and so repugnant to the usual rules of English justice, was the common routine of Star Chamber practice; and the next step in this course of oppression and breach of privilege, which in our times would at once be justly branded as an attempt to prejudice the administration of the laws, was unnoticed in those days when tyrannical courses were so usual, as not particularly blameworthy. This step was the summoning the judges before the Privy Council, to obtain their opinions upon certain questions which were considered to be involved in the cases of these gentlemen. As they agreed that a member of Parliament could be punished for uniting himself with other members in Parliamentary resolutions tending to bring hatred and contempt upon the Government, the Attorney General exhibited an information in the Star Chamber against the nine members.†

The information specified, that they had entered into an unlawful confederacy to disturb the Government and interrupt the trade of the realm; and that in furtherance of their design, they had written false and scandalous assertions against several of the Privy Council: also, that when the Speaker of the House of Commons

* Vindiciæ Maris Clausi, 31.

† Parl. Hist. VIII. 354—368; Rushworth, I. 661—670.

announced to its members that his Majesty's pleasure was they should adjourn, Sir John Eliot rose several times to speak; and when the Speaker endeavoured to leave the chair, Denzil Holles and Benjamin Valentine, being one on each side of the Speaker, held him in against his will, and upon his struggling to rise, again thrust him back: that Sir John Eliot produced a paper which he desired to have read; that thereupon arose a confusion, and the contest became so hot, that Sir William Coriton actually assaulted another member, named Winterton; and many members wished to leave; Sir Miles Hobart, at his own suggestion, locked the door of the House: that they endeavoured to persuade the Speaker to read the paper; and as he pertinaciously refused, Selden moved that the Clerk of the House should read it. For these proceedings, for several speeches, and other supposed offences, the Attorney General prayed his Majesty that they might be subpœnaed to appear in the Court of Star Chamber.

To this information, Selden demurred, and pleaded that he was not responsible for his speeches in Parliament; and that there was no proof of a confederacy. He then pointed out, that many parts of the pretended offences did not affect him, and observed in conclusion, "No sufficient cause is set forth in the information to put this defendant to make answer to the matters therein contained. And whereas, in the said information, there is a charge, or pretence of a charge, laid against this defendant, for conspiring and confederating with the other defendants; this defendant saith (not acknowledging any charge either of that kind, or any other kind in the said information contained, to be true), that, as he conceives, he is not bound to make any answer,

not only for the reasons before expressed, concerning the rights and liberties of every member of the House of Commons, but also for that he conceives it is lawful for any members of the same House, for the time being, freely, according to their judgments and opinions, to join together, or agree in preparing to deliver, or in delivering unto the said House, either by speech or writing, any matter that may be communed or treated of in the same House, of which nature all the particulars supposed to have been prepared or delivered in the information are; and having free liberty to consult, advise and agree together, concerning the weighty affairs of the Church and kingdom, is not, nor ought to be called or named a confederacy, nor questioned by information thus exhibited." He then prayed to have the information dismissed and his reasonable costs paid.

It is not uninteresting to know Selden's opinion of the forcible detention of the Speaker. He thus expresses himself: "It is supposed in the information, that the Speaker, according to his Majesty's command endeavouring to go out of the chair, was there retained against his will. This defendant conceiveth it to be so far both in form and matter from a charge to be answered to by this defendant, that out of the very words and matter of the information, the said Speaker ought to have been so stayed at that time; for besides that it is a right belonging to that House, that its Speaker by commandment of its members is to do whatsoever belongeth to his duty in the said House, and it appeareth, from the words of the information, that the greatest number of the House had assented, before the pretended time of keeping the Speaker in

the chair, to the adjournment of the House, according to the signification of his Majesty, it was then the Speaker's duty, according to the custom of the House, to have declared the adjournment itself, and it was his bounden duty to stay in the chair until he had pronounced the adjournment so assented to. And it is ordained by authority of Parliament in the 6th year of Henry the Eighth, that no member of the House of Commons, for the time being, may depart or absent himself from the Parliament, until it is fully ended, finished, or prorogued, except he have licence of the Speaker and Commons of the House." *

However doubtful it may be whether the ordinance of the 6th of Henry the Eighth applies to an adjournment, as it does to a prorogation of Parliament, it is not at all uncertain, that it is the duty of the Speaker to remain in the chair until the House has agreed to adjourn. Selden could not plead that this was not done, because in that case he would have admitted the occurrence of an event that chiefly implicated his friends. Whether they were right in holding the Speaker in his chair, is a question which an information could not impugn: if it were a breach of parliamentary privilege, the House of Commons was the guardian and vindicator of its own rights, perfectly unconnected with the Star Chamber; if it were an insult, the Speaker had his private remedy. That the King has no right to command the House to adjourn, is perfectly clear; though it is his undoubted prerogative to prorogue or dissolve the whole Parliament.

The Court party was too conscious of the badness of their case to show any alacrity in bringing it to an

* Harleian MSS. 2217, pl. 61 h.

issue; consequently, Selden, and his fellow-prisoners, were brought up on their motion by writs of *Habeas Corpus* to the bar of the King's Bench prison, on the first day of Trinity Term, 1629.

The declaratory part of the warrant for the imprisonment of Selden, to Sir Allan Apsley, the Lieutenant of the Tower, as returned by that officer, stated "that this commitment was for notable contempts by him committed against ourself and our government, and for stirring up sedition against us." Upon this Mr. Littleton pleaded for his client's release. He acknowledged the King's power to commit, but at the same time showed that the Court of King's Bench had power to bail any one so committed. The question, therefore, to be resolved was, whether the offences specified in the warrant were such as allowed the prisoner to be bailed. Having demonstrated that in this case they neither amounted to treason nor felony, and that they were not provided for by an express statute, he concluded with an incontrovertible appeal to the common law, and the lately enacted Petition of Right, that Selden might be admitted to bail.*

In reply, the Attorney General argued that Selden and his fellow-prisoners should be remanded; Hobart, Holles, and Valentine agreeing to have their cases concluded by the determination upon Selden's case.

Sir Robert Heath evidently felt that the law was against him, and relied upon convincing the judges that it was their duty to recommit them, if they thought it for the good of the commonweal. He concluded with an admonition, which the event proved was a confession that the Court party had prejudged the cases of

* Rushworth, I. Appendix, 26—39.

the prisoners. He used these remarkable words:—"I am confident that you will not bail them, if any danger may ensue; but first you are to consult with the King, and he will show you where the danger rests."

The consultation of English judges with the King, as to the judgment they should give, needs no invective of the historian; the common sense of every reader will supply the comment.

The present instance affords an example of the legitimate consequences. The judges informed the King that, by their oaths, they were bound to bail the prisoners. So far they were uncorrupted, but they were base enough to request his directions for them to perform their duty. Charles, however, was resolved that the law should not be superior to his will, and he dared, in the face of his people, to set them an example of contempt for the institutions and laws of the country.

When the judges were prepared to deliver their judgment upon this question, which so greatly involved the liberty of the subject, no prisoners appeared according to the rule of the court—the bar was vacant. Proclamation was consequently made, calling upon the keepers of the several prisons to produce the prisoners. The Marshal of the King's Bench alone appeared; and he informed the court, that, upon "the King's own warrant," his prisoners had been removed to other places of confinement.

The counsel for the prisoners prayed the court to declare its opinion of the law of the case, but this was declined by the judges, because, as the prisoners were absent, they could be neither bailed, delivered, nor

remanded. Their lordships had been prepared for this conclusion, because, the evening previously, the King wrote to inform them, that the prisoners would not be allowed to come before them, in consequence of his hearing "how most of them a while since did carry themselves insolently and unmannerly," both towards himself and their lordships. "Nevertheless," continued this contemptible apology for injustice, "the respect we bear to the proceedings of the court hath caused us to give way that Selden and Valentine should attend you to-morrow." Upon more mature deliberation, about three hours afterwards, even this was altered, the King informing the judges in a second letter, "that all the prisoners would receive the same treatment." *

Thus did the infatuated Court urge on towards ruin. Sir Robert Cotton had warned it of the increasing dissatisfaction of the people; and Lord Carlisle had long previously urged upon its attention the great political truth, that to gain their good opinion is to obtain power. These admonitions were, however, disregarded; and if we trace the public transactions of the government step by step, if we notice the series of violations which were offered to the national institutions and liberties, the conviction is forced upon us, that no conduct could have been pursued better calculated to precipitate the governed and the government into that lamentable collision which invariably is fatal to the latter.

The Parliament also had warned the Court that submissive endurance was at an end, and that no government would be obeyed without resistance, that did not

* Rushworth, I. 679—681.

guide its proceedings by the established laws. The policy dictated by common sense, (and common sense is the best political, as well as the best domestic mentor,) was to adopt such a guide, and to relax rather than strain the prerogative of the Crown. Had the opposition been a petty faction, an illegal effort of government might have crushed it; but no oppression by that power, however determined, could crush the united resolve of the nation. Every fresh injustice acted but as a stimulus, to those who had already been roused to resistance.

The course thus unwisely and illegally adopted was pursued with severity. Solitary confinement, (that is, imprisonment without any intercourse with friends, or personal occupation,) is the most severe punishment, short of a lingering death, that can be inflicted upon our nature. To this species of imprisonment,—to the worst of weariness, the weariness of lengthened inactivity,—Selden and his fellow-prisoners, were at first condemned. During three months, the tedious monotony of this imprisonment was without the happy companionship of a book, and, of course, the use of writing materials was strictly forbidden. With books they could not have conspired treason, therefore the denial of them was an unnecessary deprivation, the severity of which those will duly estimate who remember Selden's literary pursuits. "After the lapse of about three months," says Selden, "permission was obtained for me to make use of such books as, by writing for, I procured from my friends and the booksellers, for my own library then, and long subsequently, remained under seal." He says also, "I extorted, by

entreaty, from the governor (Sir Allan Apsley)* the use of pens, ink, and paper; but of paper only nineteen sheets, which were at hand, were allowed, each of which was to be signed with the initials of the governor, that it might be ascertained easily how much and what I wrote; nor did I dare to use any other. On these, during my prison leisure, I copied many extracts from the above-named books, which extracts I have now in my possession, thus signed and bound together.†

Towards the close of the vacation, the judges of the King's Bench being all in the country, were summoned to meet at Serjeants' Inn, on Michaelmas day; and on the following morning, the Chief Justice (Sir Nicholas Hyde) and Mr. Justice Whitelocke had a conference with the King, at Hampton. His Majesty then told them, he was willing the members in the Tower should be bailed, although they were so obstinate that they would not even petition him, and confess "that they were sorry he was offended with them."‡ He then told the judges that he should abandon the proceedings against the members in the Star Chamber, and indict them in the Court of King's Bench. The judges told

* Selden always spoke gratefully of the kindness of this gentleman. Sir Allan died in May, 1630, of a fever, which he caught during Buckingham's unfortunate attack upon the Isle of Rhé. His daughter, Mrs Hutchinson, speaking of him, when Governor of the Tower, says, "He was a father to all his prisoners, sweetening with such compassionate kindness their restraint, that the affliction of a prison was not felt in his days." She adds, that he had a singular kindness for all persons who were eminent in learning.—*Memoirs of Col. Hutchinson*, 12.

† Opera Omnia, II. 1428.

‡ The Court party finding that it had erred without attaining its object, would willingly have sneaked out of any further proceeding. It employed Dr. Mosley to endeavour to persuade the imprisoned members to submit, but they would not sue for an acquittal as a boon, which they knew they were entitled to obtain as a right.

him "the offences were not capital, and that by law the prisoners ought to be bailed, giving security for their good behaviour."

On the first day of Michaelmas Term, the judgment of the court being again moved for, it was pronounced in accordance with that which they had previously communicated to the King. Selden, answering for himself and his fellow-prisoners, replied, that they had their sureties ready for the bail, but not for the good behaviour, and desired that the first might be accepted, and the latter not urged. He reminded the court that they had been imprisoned thirty weeks; that in all the arguments, the only question had been, whether they were or were not bailable; and that finding sureties for their good behaviour was admitting by implication that they were guilty. "In conclusion," said Selden, "we demand to be bailed in point of right; and if of right it be not grantable, we do not demand it. The finding of sureties for good behaviour is merely a point of discretion, and we cannot assent to it without great offence to the Parliament, where these matters, which are surmised by the return, were acted."*

These just objections to the demand of finding sureties for their good behaviour were not all that could have been urged; they would have been held in thraldom to the amount of the security by their persecutors; since the judicature of England, as then unfortunately constituted, would have interpreted any conduct to be a breach of good behaviour, which the Stuart party with any colourable reason might suggest. We have already

* Rushworth, I. 682.

seen it consented not to do right when that party dictated; and without any other appeal to the history of the period, we must be conscious that there is no wide interval between passive and active injustice.

Selden remarks in his last published work, (and the subsequent reversal of the judgment justifies his assertion,) that the judges themselves were conscious that he and his fellow-prisoners had done nothing which required them to find sureties for their good behaviour; and their counsel, as well as their own experience, assured them, that securities were only usually required of criminals; they, therefore, refused to enter into these recognisances, not only because it would be conduct unworthy of themselves, but because they were determined that the privileges of Parliament, and the just liberty of the English people, should not be infringed by their acquiescence.* They were consequently remanded to the Tower, and their persecution was now changed in form, as the King had announced, to an information against them in the Court of King's Bench. Selden, Holles, Valentine, and Eliot were made the subjects of this proceeding. They excepted to the jurisdiction of the court, as their offences were alleged to have been committed in Parliament, and therefore by Parliament alone were they punishable.

This exception was overruled, and judgment was finally given against them, upon the plea of *Nihil dixit*, "that they should be imprisoned, and not delivered until they had given security for their good behaviour, and made a submission and acknowledgment of their offences."

* Opera Omnia, II. 1429.

In submitting to this sacrifice of inclination to duty, Selden had to overcome many temptations besides our natural repugnance to captivity. Far more than the requisite number of friends were ready to be his sureties; they urged him to comply, and represented that the time of his imprisonment was of an entirely indefinite duration. The Chief Justice declared that there was no other purchase-price for his liberty, and when it was remarked that he had been already eight months in prison, that judge, who, as Selden remarks, ought to be "the legal vindicator of every personal liberty," observed they might be lengthened into eight years, unless he submitted. Entreaties and threats, however, were alike unavailing, and he remained firm even with the knowledge that those, who had hitherto suffered firmly by his side, faltered in their endurance, and at length compromised with their common oppressors.

Mr. Hollis paid one thousand marks; Mr. Long two thousand marks; Mr. Valentine five hundred pounds, and were, with Mr. Hobart and others, released after various terms of imprisonment, upon entering into bonds of two thousand pounds each, not to come nearer the Court than ten miles.*

* Parl. Hist. VIII. 388. Mr. Long yielded to the entreaties of his wife and mother; but when he understood that his fellow-prisoners had refused to find sureties for their good behaviour, "he had no rest till he had made his sureties to desist from their suretyship, and so was again returned into prison." —*Sloane MSS.*

In 1641, the Parliament voted the treatment of these gentlemen to be a breach of the privilege of Parliament, and gave to them or their heirs (accordingly as they had or had not survived) 5000*l.* each, as some recompense for the expense and loss they had suffered. In 1667, when the decision of the Legislature may be esteemed more dispassionate, both Houses of Parliament agreed in resolving that the judgment of the Court of King's Bench upon these sufferers in the cause of freedom, "was an illegal judgment, and against the freedom and privileges of Parliament."—*Croke's Reports*, III. 669.

Sir John Eliot fell a martyr to the cause. He refused to submit to the degrading and unjust terms offered by the Court, and prepared, with his usual energy, to endure that confinement which he foresaw would be for the residue of his life. He had, some years previous to his first confinement, assigned over all his estates, with provident forethought, in trust for the use of his children; and now, when informed that he was sentenced to pay a fine of 2000*l.*, he replied, "I have two cloaks, two suits, two pair of boots and galla-shees, and a few books; that is all my present substance, and if they can pick out of that 2000*l.*, much good may it do them." In the solitude of his prison he continued to act a part consistent with his most active life. In letters still remaining among the papers of the St. Germain family, we have his own assurance, that though "faint and feeble," he did "not bate a jot of heart and hope." He wrote to Hampden and other friends, as well as to his sons. He warned the latter that the only overwhelming sorrow which could come upon him, would be a knowledge of their unworthiness, by which he pathetically observes, "I shall then receive that wound, which, I thank God, no enemy could give me;—sorrow and affliction of mind, and that from them from whom I expected the contrary." He further occupied his monotonous leisure, by composing a treatise upon the "Monarchy of Man," which is preserved among the Harleian manuscripts, and is an eloquent expression of learning and religion, applicable to our conduct in life. Imprisonment slowly completed its work of death. His legal adviser related, that he "found him the same cheerful, healthful, undaunted

man as ever;" but he was gradually sinking. His native county petitioned for his release. He applied to the Court of King's Bench, but the Lord Chief Justice Richardson, coldly remarking "that though brought low in body, Sir John was as high and lofty in mind as ever," directed him to petition the King. Sir John conveyed a request for a release to Charles, and the King made answer.—"It is not humble enough!" The petition was re-worded, but still the unbroken spirit of Eliot spoke in words that were uncringing, and there came to it no reply!

The patriot rose to meet his impending fate. He sent for a painter, that his descendants might know the lineaments of their ancestor, who died for the legal freedom of their country. "Let it be preserved," was his desire, "as a perpetal memorial of my hatred of tyranny." It still exists at Port Eliot, and well expresses the features, pale and contracted by the inroads of consumption. Some few of his letters remain, written at this period, when he was dying, and they contain the most eloquent expressions of resignation and of hope. He said he had now nothing remaining in this world, "but the contestation between an ill body and the air, that quarrel and make friends as the summer winds affect them;" but he was contented, and looked forward with fearless and enthusiastic delight to the arrival of the period of his departure to that eternal home "where the weary are at rest."

He died in the third week of November, 1632. Stuart hatred was not even yet satiated. I record the following fact without comment. Sir John's son petitioned to be allowed to convey the body of his

father into Cornwall, but the inexorable answer, was, "Let Sir John Eliot's body be buried in the church of that parish where he died." The King was obeyed. His ashes rest in the Tower Chapel.*

Selden was not dismissed without further persecution, for he was attacked upon another charge, though as yet unreleased from the sentence already pronounced.

The Attorney General filed an information in the Star Chamber against him, Sir Robert Cotton, and Gilbert Barrell, for "intending to raise false, scandalous, and seditious rumours" against the King and his government, as appeared in "a false, seditious, and pestilent discourse," which they had "seditiously framed, contrived and written."

This discourse was entitled "A Proposition for his Majesty's service, to bridle the impertinency of Parliament," and upon their trial it was incontestably proved to have been written by Sir Robert Dudley, commonly called Earl of Warwick and Duke of Northumberland, in the reign of James the First. The manuscript was in the library of Sir Robert Cotton, and copies of it being traced to the possession of Selden, Barrell, and the Earls of Bedford, Somerset, and Clare, they were all implicated in its dissemination, until the decision of the Court determined its true origin.

It appears to have been a satire upon the spirit of the Stuart government; and the ministers of Charles must have so thought, otherwise they would never have prosecuted such men as Sir Robert Cotton and Selden,

* Prince's Worthies of Devon, ed. 1810, 128; Bliss's Wood's Athen. Oxon. II. 478; D'Israeli's Curiosities of Literature; Sloane MSS.; Harleian MSS.; Rushworth.

who had been the unflinching advocates of constitutional liberty, for a composition every sentence of which recommends the most absurd system of despotic misrule. A few short extracts will best show its character.

It recommends the King to have a fort in every town, well supplied with men and the necessaries of war, for "it is a greater tie of the people by force and necessity than merely by love and affection; for by the one, the government resteth always secure, but by the other no longer than the people are well contented. Secondly, it forceth obstinate subjects to be no more presumptuous than it pleaseth your Majesty to permit them. Your Majesty's government is more secure by the people's more subjection, and by their subjection your Parliament must be forced, consequently, to alter their style, and to be conformable to your will and pleasure; for their words and opposition import nothing when the power is in your Majesty's hands to do with them what you please." The second part of the Discourse relates to his Majesty's revenues, and advises that if "subjects have not wit or will to consider their own interest, your Majesty's wisdom must repair their defects, and force them to it by compulsion." *

At length, weary of this contest with men who would

* There is a complete copy of this Discourse among the Harleian MSS. To it are appended some particulars relating to this extraordinary prosecution. Still more full information is contained in Sir Symonds D'Ewes' Journal, preserved among the same MSS. See also *Gentleman's Magazine*, XXXVII. 335.

A manuscript note of Chief Justice Hyde says, that the information exhibited on this occasion by the Attorney General included the Earls of Bedford, Clare, and Somerset. Instead of giving an honest acquittal to all the defendants, the Lord Keeper Coventry signified to the Court that the King, out of his grace and joy at the birth of a Prince, (Charles, born the May before), would pardon them,

yield nothing of their rights, and over whom no advantage could be gained, the Court mitigated the suggestions of its anger, and an order was sent by the Privy Council to the lieutenant of the Tower, to release such as remained in his custody from close confinement, to allow them such freedom as could be enjoyed within the walls, and for them to have a free intercourse with their friends. The Government took care that they should pay for this indulgence, for Selden informs us, that whereas they had, according to custom, been liberally dieted at the expense of the Crown, whilst closely imprisoned, they were now left to provide for themselves.*

This relaxation encouraged them to request a still more diminished restraint, for, considering that it would be more difficult to obtain permission to go occasionally abroad in the Tower than in any other prison, Selden and Mr. Strode, two or three weeks subsequently, obtained their removal to the Marshalsea, upon a committal similar to the original, directing their detention until they found security for their good behaviour.

Selden was detained in the Marshalsea until May,

and not proceed to demand sentence. But on motion by the Attorney General, that Sir Robert Cotton had in his library records, evidences, ledger-books, original letters, and instruments of State belonging to the King, (and to prove it the Attorney General showed a copy of a pardon which Sir Robert had obtained from King James, for embezzling records, and other offences), it therefore was thought lawful, and ordered, that commissioners should be appointed, who might search his library, and withdraw from it all the King's papers.—*Lansdowne MSS.* 841, fol. 79. This was the death-blow to Sir Robert. From that day he declined in health, frequently declaring to his friends, "that they had broken his heart who had locked up his library from him;" and just previously to his death he had the Privy Council informed "that their so long detaining his books from him, without rendering any reason for the same, had been the cause of his mortal malady." He died in May, 1631.

* Opera Omnia, II. 1430.

1630, but this imprisonment was scarcely more than nominal; for, upon submitting to certain rules, he was allowed to go without the walls wherever and as often as he wished.*

Another "taste of happiness" bestowed upon the people was a proclamation, in which Charles announced that he was not only resolved to continue the government "in a single state," but warned every one from offering contrary advice. This true specimen of a despotic edict, after observing that the recall of a Parliament had been publicly suggested "for several ill ends," announced that his Majesty "would account it presumption for any to prescribe a time to him for Parliaments; the calling, continuing, and dissolving of them being always in the King's own power."†

Thus determined to rule without the aid of that branch of the legislature which could alone give him a legal right to demand supplies from his people, Charles wisely resolved to cease from those wars so rashly commenced, in which no honour had been acquired, and to meet the extraordinary expenses of which, there could be no probability of an overflowing exchequer. Peace was signed, therefore, with France and Spain; and, except that no stipulations were provided for the protection of the Hugonots, (in whose behalf the first war professedly was waged,) on honourable terms, and the three kingdoms were respectively "remitted to the affections they formerly had."

Money was required for the ordinary expenses of Government, even in "a piping time of peace," and the

* Life of Selden, 173, &c.

† Franklyn's Annals, 361; Parl. Hist. II. 524.

first measure adopted appears from the following instructions, endorsed by Lord Fairfax :—

COPY OF INSTRUCTIONS FROM THE COUNCIL AT WHITEHALL TO THE COMMISSIONERS FOR RAISING THE SUBSIDY GRANTED TO HIS MAJESTY, WITH A LIST OF THE COMMISSIONERS.*

AFTER our hearty commendations, we have forborne till now to send down the commissions for the assessment of the last subsidy, in succour of the poorer sort of his Majesty's subjects, to ease them what we could, by prolonging their payment, that the burden might fall the less heavier upon them. Besides, we thought it not amiss to expect the going down of those principal gentlemen who attended the Parliament; to the end that by their forwardness and effectual endeavours their own good intentions in granting these subsidies might the better be performed. For they all know what complaints were made, as well in Parliament as elsewhere, that the burden of those payments was cast upon the inferiors, and that the better sort were not rateably assessed, whereby the sum of their aids was grown less near by half, than it was in former times; and yet upon due consideration, nothing can be found more to concern both the honour and welfare of the

* COMMISSIONERS' NAMES.—The Lord President; the Earl of Cumberland; Earl of Sunderland; Viscount Saville; the Lord Clifford; Lord Darcy; Lord Sanquhar; Lord Fairfax; Lord Savill; Sir Richard Hutton; Sir Francis Wortley; Sir Henry Savill; Sir Richard Beaumont; Sir Thomas Hobbis; Sir Henry Goodrick; Sir Guy Palmes; Sir Richard Tempest; Sir Edward Waterhouse; Sir Thomas Bland; Sir William Lister; Sir John Ramsden; Thomas Wentworth, Esq.; William Mallory, Esq.; Thomas Mauleverer, Esq.; John Key, Esq.; Jasper Blithman, Esq.; Godfrey Boswell, Esq.; Francis Burdett, Esq.; Richard Sunderland, Esq.; Thomas Faber, Esq.; William Lowther, Esq.

kingdom, than that these common aids should contain a sufficient supply for the great and extraordinary affairs of the estate, to make it more respected both by enemies and by friends, and that our kings may have cause highly to value the free affections of their subjects, and to rely wholly upon them, as his Majesty most desires. This we doubt not but you will weigh and seriously take to heart, and accordingly advance the assessment of those that be best able, and who in former payments have been too much undervalued. And because the said former payments have been collected, and returned with a loose hand, (half of the last subsidy being payable in December last is not yet received,) we must now expect and require a more careful order to be taken for reformation hereof, and for the hastening of these last payments with all possible speed; so that the time for seasonable preparations for his Majesty's great occasions may not be spent before the means to set them forward may be had, which assuredly will come to pass, if you employ not an extraordinary care, for which his Majesty may have cause to give you thanks. We send with the commissions the rolls of recusants as they are returned into the Exchequer, and for such as are to be had in the country, yourself can best provide. And so expecting your careful and diligent performance of these our directions, we bid you heartily farewell. Given at Whitehall the last of March, 1629.

Your loving friends,

THOMAS COVENTRY. MONTGOMERY.
SALISBURY. THOS. SUFFOLK.
WESTON.

The payment of these subsidies came in slowly, and the receipts had been forestalled by the expenditure on the expedition which Buckingham was to have commanded, and which proved, under the Earl of Lindsay, as abortive as its predecessors. New resources of revenue, therefore, had now to be discovered, and whilst the prerogative of the Crown was still exceeded by the continued enforcement of Tonnage and Poundage, other "tastes of happiness" were sedulously sought for among the clauses of obsolete statutes, to discover pretexts under which money might be extorted.

First among these was knighthood-money, a suggestion attributed to Lord Wentworth. This, though legal, because founded upon unrepealed statutes, yet was calculated to make "knights more plentiful than gentlemen or loyal subjects," and was the first occasion of bringing so cheap a semblance of dignity into contempt. This, however, weighed nothing in opposition to the pressure for money, to obtain which "the King seemed resolved to make use of any authority which his regality by any custom or law had formerly exercised. And under this pretence," adds the royalist Sir Philip Warwick, "crept in divers monopolies and projects probably less warrantable." * Though the levying of knighthood-money "had a foundation in right yet, in the circumstances of proceeding, it was very grievous," † for it was made an occasion of inquisitorial search into the amount of men's private estates; and the requisite amount of landed income, 40*l.* per annum, was ridiculously low, for the purpose of rendering a greater number liable to the fines and fees. It brought 100,000*l.* into the royal

* Warwick's Memoirs, 49. † Clarendon's History, I. 53.

exchequer, for multitudes paid the fine rather than submit to the ridicule which would have been vented upon their knighthood. Like other instances of this monarch's unparliamentary rule, it gave birth to a statute (16 Charles I. c. xx), when the legislature again assembled, to prevent the future exercise of this injurious power; a power, as the preamble justly declares, both "useless and unreasonable," and the vexatious exercise of which it thus details: "Proclamations were made in every county for certifying the names of all men of full age, not being knights, and being seised of lands or rents of the yearly value of 40*l.* or more, summoning them personally to appear in the King's presence before a certain day, to receive the said order or dignity. Process of *Distringas* was made from the Court of Exchequer against a very great number of persons, many of whom were altogether unfit either by estate or quality to receive the said dignity, and very many were put to grievous fines and other vexations, although it were not sufficiently known how or where they or any of them should have addressed themselves for the receiving the said dignity, and for saving themselves thereby from the said fines, process, and vexations." When Charles gave his assent to that statute he must have blushed as he listened to its preamble.

As the levying of knighthood-money was directed to the mulcting of the less wealthy classes of the community, so other obsolete laws were revived in a similar manner to place under "unreasonable contribution," those of higher pretensions and more ample means. For this purpose "the old laws of the forest were revived, by which not only great fines were imposed (for alleged encroachments),

but great annual rents were intended, and likely to be settled by way of contract (for the future quiet enjoyment of the lands so alleged to have been subtracted from the forests). This burthen," adds Clarendon, "lighted most upon persons of quality and honour, who thought themselves above ordinary oppressions, and were likely therefore to remember it with more sharpness." * Rushworth declares, without any intimation of doubt, that the jurors, who "in such cases are men living within the forest purlieus, and consequently peculiarly open to influence," were induced to return unjust verdicts. To what extent these persecutions were carried may be gathered from the following extracts from letters sent to Lord Wentworth by the Rev. Mr. Garrard :—

"Whitfield is made a serjeant, for the service he hath done at Dean Forest, and for a later in Essex, for they would have brought all Essex, from Stratford-Bow to Colchester, to be Forest. 'Tis not yet judged, for the gentlemen of that county being unprepared for a defence, have time given them until the Justice in Eyre sit again. If then they cannot free themselves, they must for ever submit to Forest Law." Writing again a few months after, the same correspondent says,—"The justice seat in Essex hath been kept this Easter week, and all Essex is become Forest; and, so they say, will all the counties of England but three; Kent, Surrey, and Sussex. The Commissioners for the Treasury sit constantly thrice a week; they look back for five years past, and some of them are amazed to see the greatness

* Clarendon's History, I. 53. The Statute 16 Charles I. c. xvi. prevents such future wrongs; but it does not fail to reprobate also "the great grievance and vexation" which had demanded its enactment.

of the King's debts." "My Lord of Holland is commanded to Winchester, to finish his justice seat for the New Forest, where more especially comes in question the manor of Beaulieu. My Lord of Southampton hath been at Court about it: it much concerns him in his fortune, yielding him now from his tenants 2500*l.* a year, but if it prove to be Forest, it would yield but 500*l.* yearly. So that his French wife, with whom he had little, and this business, would utterly ruin him in his fortune." "About the 20th of September, my Lord of Holland went to keep his great Court of Justice in Eyre, both in Northamptonshire and Oxfordshire. Against Rockingham Forest were found many great trespassers. My lord was assisted by five judges, Bridgeman, Finch, Trevor, Jones, and Crawley; and those who were found faulty were soundly fined. My Lord of Salisbury, for his father's faults, if he made any, for Brigstock Park, given him by Queen Elizabeth, was fined 20,000*l.*; but I hope he will come off, for, it is said, if his counsel had been well informed by his servants who attended the business, and had shown in time those pardons which King James gave Robert, Earl of Salisbury, when he came to the throne, he had escaped fining; but now he is at the King's mercy. The Earl of Westmoreland was fined 19,000*l.*; Sir Christopher Hatton 12,000*l.*; my Lord Newport 3000*l.*; Sir Lewis Watson 4000*l.*; Sir Robert Bannister 3000*l.*; my Lord of Peterborough, my Lord Brudenell, Sir Lewis Tresham, and others, little fines, which I omit. The bounds of this forest of Rockingham are increased from six miles to sixty. The particulars of his proceedings in Oxfordshire I know not; it was

no great matter he did there. My Lord Danby was fined 500*l.*, which he hath sent in."*

The profession that the collection of the subsidies was delayed "in succour of the poorer sort,"† harmonises strangely with the fact, that even the meanest cottagers were fined and harassed under a statute, which, (like most other attempts of the legislature to direct what a man ought to do with his own,) proving a failure in practice, had been allowed to remain inoperative on the statute-book. We may accept this as a fact incapable of denial, for it is contained in a letter to Lord Wentworth, from his indefatigable correspondent last quoted: "Here is at this present (October 9th, 1637), a commission in execution against cottagers, who have not four acres of ground laid to their houses, upon a statute made 31 of Elizabeth, which vexeth the poor mightily, is far more burthensome to them than the ship-monies, all for the benefit of the Lord Morton, and the Secretary of Scotland, Lord Stirling. Much crying out there is against it, especially because mean, needy men of no good fame, prisoners in the Fleet, are used as the principal commissioners to call the people before them, to fine and compound with them."‡

The enforcement of these three measures were directed against the landed proprietors of England, but the mercantile portion of the community came in for additional and special exactions. The tax of Tonnage and Poundage was doubled,§ an increase never before attempted;

* Strafford's Letters, I. 335, 413, 467; II. 117. † See page 210.

‡ The Statute 31 Eliz. c. vii. forbids the erection of any cottage without "assigning or laying to the said cottage four acres of ground at the least."

§ Strafford's Letters, I. 428.

but the merchant and the manufacturer had additional difficulties to contend against, even when labouring under these illegal imposts, consequent upon the grant of innumerable and vexatious monopolies. These monopolies, so embarrassing to trade and so effectual in raising prices to the consumers, included a large majority of the necessaries of life. Coals, iron, salt, soap, leather, tobacco, beer, herrings, butter, linen, hops, buttons, and spectacles, were only a few of the articles monopolised by the sovereign's dictate for the emolument of the few at the expense of the many. No one can read the records of the time without being struck with the thought that the Star Chamber, High Commission Court, and other tribunals, had no other employment than to provide for the wants of the King, and to ruin the adversaries of his power.* If discontent appeared too general for such proceedings to be easily practicable in any particular county, its militia were disarmed, and the royal troops were sent there, and the inhabitants compelled not only to board and lodge, but to equip them.

The soap monopoly, above all others, appears to have been the most unjust, and has consigned every one

* Six millions sterling were raised, during this unparliamentary period, by fines alone. Lord Morley, for calling Sir George Theobald "a base rascal," within the royal palace, was fined 20,000*l.*, and committed to the Tower. Laud and the Lord Privy Seal were for the severest sentence.—*Strafford Letters*, I. 335. But one of the cases most savouring of pre-influenced injustice was that of Sir David Foulis. For persuading certain parties in Yorkshire not to compound for their knighthood, and for speaking slightingly of Lord Wentworth, he was removed from the Commission of the Peace, condemned to a public apology, and fined 5000*l.*—*Rushworth*, II. 219. This was excessive punishment; but how exasperated is our sense of the injustice when we now find that it was Clifford who privately urged Laud to punish, and the latter actually promised to gratify him, before the case was heard.—*Strafford's Letters*, I. 146, &c.

connected with it to the mingled scorn and ridicule of after ages.

Two parties were competitors for this monopoly, the one being content to make the soap after the accustomed mode, but the other having "a new soap" wherewith to deterge his Majesty's lieges. It is scarcely needful to say that all female England rose against the innovation; for, as a contemporary relates, "it burns the linen, scalds the laundresses' fingers, and wastes infinitely in keeping, being full of lime and tallow." But despite all this, "the new soap-boilers got the upper hand of the old," and we now know the reason;—they gave most to the royal Exchequer, agreeing "to pay the King 30,000*l.* for two years and 40,000*l.* ever after." This outweighed all the clamour of all the old washer-women within and without the bills of mortality. It might have been otherwise could their tongues have waged war within earshot of his Majesty, for they fairly frightened the Lord Mayor of London. He listened to their complaints so far as to represent their statements to the King, but "he received a shrewd reprimand for his pusillanimity in this business, being afraid of a troop of women." But (richest passage of all in this battle of the wash-tubs) a grave body of commissioners sat, comprising sages of no less dignity than "the lieutenant of the Tower, Sir William Beecher, Sir Abraham Williams, Spiller, the Lord Mayor, and some Aldermen," who after presiding over "two general washing-days at Guildhall," gave a verdict for the new soap.*

* Garrafford's Letters, I. 176, 446. According to Clarendon, the renegade Noy was the suggestor of the soap monopoly as well as of Ship-money.

Ship-money, if not at the time the most irritating exaction of that age of fiscal devices, is the impost which is most connected with that era in our memories, for it brought England in most effective opposition to the Court, and first prominently introduced to public notice the individual whose name and that of patriot are become synonymous. It was a tax rendered still more unpopular, as being an occasion which demonstrated that the judges betrayed their sacred charge. Neither was it less obnoxious by being a suggestion of Mr. Noy, tempted from the ranks of the friends of the people by the proffered Attorney-Generalship. The birth-time of this suggestion was 1634, and was at first proposed to be levied only upon the maritime towns, and ostensibly for maintaining the navy; but, said Selden, that was like putting in a little auger, in order that a larger might be afterwards inserted, for the tax was soon forced also upon the inland counties.

The royal income, despite all the contrivances and severities employed (though justice even had been prostituted to supply the deficiency), was now so narrowed, that this levy was almost the last unparliamentary resource, and Lord Conway was as correct as quaint when he told Lord Wentworth, "If this order for shipping go on, and be well guided, we shall be *lupi* (wolves); if it sink, we shall be *pecora* (sheep): for every creature in this world doth eat, or is eaten."*

If the levy of Ship-money had been legal and uncontested, it would have rendered the Crown independent of Parliament; for in conjunction with other sources of revenue, an annual supply would have been obtained

* Strafford's Letters, I. 479.

more than ample for the ordinary expenditure. "All the shires in England," said Mr. Garrard, writing to Lord Wentworth, "are rated. The whole sum, if they can get the money, comes to 218,500*l.* Your county of York, 12,000*l.*; London and Middlesex, 21,500*l.*: ships, forty-five; mariners, 7103; a notable revenue, if it be paid every year, far better than Tonnage and Poundage, and yet that is paid too."*

The first of these writs issued was to the city of London, and bears date October the 20th, 1634, commanding seven ships of war, with their requisite crews, armament and provisions, to be provided by the city, and to rendezvous at Portsmouth before the 1st of the following March; powers being added in the writ for the Mayor and Aldermen "to assess all men in the said city," and to imprison the refractory.† The Corporation petitioned against the levy, but the result is told in the following letter, dated the 11th of January, 1635: "The Mayor of London received some reprimand for being so slow in giving answer to the writ; afterwards, the city council were called before the Lords and received some gentle check, or rather were admonished to take heed how they advised the city in a case so clear for the King, wherein his Majesty had first advised with his learned counsel, and with his Council of state. It wrought this effect, that they all yielded, and instantly fell to seizing in all the wards of London. It will cost the city at least thirty-five thousand pounds. They

* Strafford's Letters, I. 463. This letter is dated September 1st, 1635, and in another dated November 28th, Mr. Howell says, "The levy of the Ship-money in towns and country is done, and the money almost come in; there is a computation made that it will amount to two subsidies and a half.—*Ibid.* 489.

† State Trials, III. 830, edited by Cobbett.

hoist up the merchant-strangers, Sir William Curtyre, three hundred and sixty pounds; Sir Thomas Cuttcale, three hundred pounds: great sums to pay at one tax, and we know not how often it may come. It reaches us in the Strand, being within the Liberties of Westminster, which furnisheth out one ship. My Lord of Bedford, sixty pounds; my Lord of Salisbury, twenty-five pounds; my Lord of Clare, forty pounds; the Lord Keeper, and Lord Treasurer, twenty pounds a-piece; nay, lodgers, for I am set at forty shillings. Giving subsidies in Parliament, I was well content to pay to, which now hath brought me into this tax; but I tell my Lord Cottinton, that I had rather give and pay ten subsidies in Parliament, than ten shillings this new-old way of dead Noy's. Letters are also gone down to the High Sheriffs of the maritime counties to quicken them."*

The writs issued in 1634 contained a clause that no more money was to be levied than was required for providing the ships and their equipment, but when they were issued in subsequent years, when the inland towns and counties were included, and the levy was intended to be annual, this clause was omitted, or by an accompanying letter the money was required to be paid into the Royal Exchequer. "In the first year," said the Lord Keeper to the judges, "when the writs were directed to the ports and maritime places, they received little or no opposition; but in the second year, when they went generally throughout the kingdom (though by some well obeyed) they have been refused by some, not only in inland counties, but in some maritime places."†

* Strafford's Letters, I. 358.

† State Trials, III. 841. The responsibility of issuing the writs throughout

Among these recusants was John Hampden, a man of ample fortune, liberal, generous, and charitable, and who contested the payment of the paltry sum demanded, for no other cause than to vindicate the principle, that the levy could not be justified without the sanction of Parliament. Previously to disputing this payment "he was rather of reputation in his own county, than of fame in the kingdom; but, then, he grew the argument of all tongues, every man inquiring who and what he was that durst, at his own charge, support the liberty and property of the kingdom, and rescue his country, as he thought, from being made a prey to the Court. His carriage, throughout this agitation, was with that rare temper and modesty, that they who watched him narrowly to find some advantage against his person, to make him less resolute in his cause, were compelled to give him a just testimony. And the judgment that was given against him infinitely more advanced him than the service for which it was given. His reputation for honesty was universal, and his affections seemed so publicly guided, that no corrupt nor private ends could bias him." * Such is the testimony of Clarendon, at one time his intimate friend, and one of the members selected by the Commons to urge upon the Peers a concurrence with them in condemning the judgment in favour of Ship-money.

England does not rest upon Noy, but upon Sir John Finch (Chief Justice of the Common Pleas), Sir John Brampston (Chief Justice of the King's Bench), and Sir Humphry Davenport (Lord Chief Baron). The King having sought their opinion, they answered (June 1635) in these words: "Whereas the charge of defending the sea had been imposed on the Cinque Ports, so, where the whole kingdom is in danger, the whole charge ought to be maintained by all the subjects of the realm."—*Ibid.* 1219. * Clarendon's History, II. 205.

Charles sought to win Hampden over to the ranks of his supporters, and the Parliament would have granted any request that might have been gratifying to avarice or ambition. But acting upon principle, and above all temptation, he pressed forward on the course which he considered just, turning aside from him all allurements, and obtaining this most memorable of praise—"He had more ambition to have been the Prince's governor (tutor) than for any greater place." * And why, but that he might have provided for England's future liberty and happiness, by instilling into him better lessons of constitutional knowledge than he was likely to imbibe among the high-prerogative sycophants of the Royal Court?

The progress and issue of his dispute against the levy of Ship-money may be briefly told. By a writ, dated the 4th of August, 1635, Buckinghamshire was called upon to furnish one ship of war, and towards this, "John Hampden, Esq., of Stoke Mandeville," in that county, was assessed to pay twenty shillings. This assessment was not in pursuance of the writ, but in compliance with instructions sent with it to the sheriff, that "instead of a ship, he should levy upon his county such a sum of money, and return the same to the Treasurer of the Navy for his Majesty's use." † For six days before, all the judges of England, did Mr. Oliver St. John and Mr. Holborne argue against the legality of the levy; and the replies of the Attorney and Solicitor Generals, Sir John Bankes and Sir Edward Littleton, both renegades from the popular party, occupied a similar space of time. It is not too

* Warwick's Memoirs, 242. † Clarendon's History, I. 53.

much to say, that they exhausted all the sources of argument and precedent that could be cited in favour of their respective clients. The great delinquents in the case were those judges who gave their decision in favour of the Crown, for as even Clarendon acknowledges, it was "adjudged upon such grounds and reasons as every stander-by was able to swear was not law."* One of them, a Baron of the Exchequer, Sir Thomas Trevor, justified his judgment upon the totally untenable ground, that "We, who are the judges of the kingdom, have paid it, therefore it is fit our opinions concur with our actions in this case." The Lord Chief Justice of the King's Bench, but upon a technical point, gave a decision in favour of Hampden, as did the Lord Chief Baron, and another Baron of the Exchequer, Sir John Denham; but Sir George Croke, one of the puisne judges of the King's Bench, and Sir Richard Hutton, a puisne judge of the Common Pleas, were in his favour upon the law generally.

The judge last-named revealed the iniquitous course which had been pursued, and to which the judges had unwittingly submitted, of giving an extra-judicial opinion upon a point involving to a certain extent the legality of this levy. On the second of February, 1636, just at the very time when the impost was likely to become the subject of judicial enquiry, the King submitted to them these comprehensive questions:—

"When the good and safety of the kingdom in general is concerned, and the whole kingdom is in danger; whether may not the King, by writ under the great seal of England, command all the subjects of this

* Clarendon's History, I. 54.

kingdom, at their charge, to provide and furnish such number of ships, with men, victuals, and munition, and for such time as he shall think fit, for the defence and safeguard of the kingdom from such danger and peril; and, by law, compel the doing thereof, in case of refusal or refractoriness? And whether, in such a case, is not the King sole judge, both of the danger, and when and how the same is to be prevented and avoided?" These general queries received from the twelve judges replies as generally affirmative, but Mr. Justice Hutton with just discrimination observed,—"No man of us but sometimes delivers his opinion, and yet, after argument, have changed our opinions, and gone contrary to our former judgment; but if after the arguments now heard I had been of the same opinion that was then delivered, yet this writ doth not pursue its direction. We agreed that the King might charge his subjects in case of a general danger, yet this was, and is intended, not a danger from pirates, but an imminent necessity, and apparent danger, which could not be avoided."*

Since the day of the delivery of that judgment, not one lawyer of eminence has recorded an opinion in favour of the legality of the levy. Even if England had not been at entire peace with all Europe, but had been at war with its chief states, instead of being disturbed only by some pirates in the channel, as was actually the case, still the writs were in defiance of both the Common and the Statute Law, unwarranted by any prerogative of the Crown, and totally without precedent. The reversal of the judgment was passed without opposition through both Houses a few years subsequently, for it was most

* State Trials, III. 1198.

clear, as observed by Lord Falkland, "the learned, the honest, the sincere," that if that judgment were law, then "his Majesty, as often as himself pleaseth, may declare that the kingdom is in danger; that so often, for prevention of such danger, his Majesty, by his writ under the Great Seal of England, may alter the property of the subjects' goods, without their consent in Parliament, and in such proportion as his Majesty shall think fit; and besides, the altering of the property of their goods may deprive them of the liberty of their persons, and of their lives, in such manner as himself shall please."* Out of evil, however, arose good, for all England was roused more than ever to oppose this and all other illegal inroads, for they now saw plainly that they had no longer a safeguard in the integrity of the judges, but that these were "as sharp-sighted as Secretaries of State, and in the mysteries of state; judgment of law grounded upon matter of fact, of which there was neither inquiry nor proof; and no reason given for the payment of the shillings in question, but what included the estates of all the by-standers."†

Leaving for awhile the more important events of this period of despotism, we may now turn to the consideration of some biographical details, as narrated in the following letters.

* State Trials, III. 1265. † Clarendon's History, I. 55.

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, MY LORD FAIRFAX, AT DENTON.

MY GOOD LORD,

THERE was this day se'nnight (the 13th of this month) a matter handled at London concerning your lordship, with others, which being so lately done, may be, you have not yet had notice thereof. The bill preferred in the Star Chamber against my Lord Wentworth, my Lord Clifford, your lordship, and others, by the Lord Savill, was then heard and spoken unto; the issue whereof was, the Lord Savill was fined 100*l.* to the King; the Lord Wentworth, Lord Clifford, and your lordship, each of you, 100*l.* for damages. Sir Thomas Gower, Sir Richard Cholmeley, Sir Edward Stanhope, and the two Mr. Legerdes, every of them, 50*l.*; the bill to be taken off the file; which the Lord Savill's counsel speaking against, he is admitted to prosecute his bill the next term, or to make reparation of honour, as the Lords of the Council shall think fit.*

The heavy news of the Queen's delivery of child, two months before her time, and that a son, buried the 9th of this month, is, I think, no news unto you. Thus, with my service humbly remembered, I rest

At your lordship's service,

MICHAEL. WENTWORTH.

This 20th of May, 1629.

* A report of this case is in Rushworth, III. Appendix 21.

TO THE RIGHT HONOURABLE HIS VERY GOOD LORD, THE LORD FAIRFAX, AT DENTON, THESE PRESENT.

My Lord,

Your servant, John Mawson, hath carefully seen the return of the 50*l.* to Mr. Burlemachi's hands, who hath given us two bills of exchange for it upon sight; as also the delivery of the several letters which we have sent with the former bill. Mr. Boswill is pleased to write his affections and instructions to your grandson.* We have spent some time according to your lordship's directions with one Mr. Tennant, to inquire out a fit and serviceable litter for your lordship's purpose. We could find none ready made but flackey litters, wherefore we have taken as speedy a course as we possibly could, as your servant will inform you, who hath left 18*l.* 18*s.* to be disposed to this purpose, if your lordship be pleased to approve of it in the meantime. Your lordship is pleased to mention a controversy betwixt my uncle Birkhead, yourself, and others. I am sorry in remembrance of it: if nothing but title had fallen to suit, the law would have easily moderated, but your accidental circumstances aggravates both in doubt and charge; I confess my little acquaintance in it makes me ignorant of excuse fit. Leaving that theme, I present to your lordship the present discourse of state. The Earl of Carlisle is to be sent on embassy to the

* The bills of exchange were for the future Parliamentary General, then in France. Mr. Burlamaqui was a merchant of great eminence, and associated with our envoys in more than one negotiation with foreign powers.—*Howell's Letters*, 225, &c.

Emperor of Germany ; * Sir Kenelm Digby to the King of Spain, to the Pope, and thence to the Duke of Venice ; the message is supposed to be the restoration of the Palatinate.† And it is generally received that the Marquis of Hamilton proceeds with speed to accompany the King of Sweden, who (as I hear) hath given Tilly a great overthrow, and Tilly in the battle slain.‡ Mr. Briggs, your lordship's old friend and servant, hath lain bed-rid almost a quarter of a year ; he desired me to intimate that the sight of Denton would prolong his life much, and your lordship's late remembrances were very cordial to him. Dr. Dunne, the late dean of St. Paul's is dead ; Dr. Wemyss succeeds in the deanery, and Dr. Duppa in the parsonage of St. Dunstan.§ The fear of the sickness is not so great as it was, because the

* This was the James Hay, Earl of Carlisle, chiefly celebrated for his sumptuous expenditure. He had been, before this, representative of England at the Courts of France and Germany. He died in 1636, and persisted in his folly even when death was at his threshold, ordering new clothes, as he said, "to outface naked and despicable death." The embassy on which this letter notes his departure related to the Palatinate.

† This extraordinary man had defeated the Spanish fleet in the Gulf of Venice in 1629, and was now proceeding as envoy with presents, (for the purpose mentioned by Mr. Bladen,) to those potentates to whose religion he became a convert a few years subsequently. His conversion caused an admirable remonstrance to be written to him by Dr. Laud.

‡ The Marquis of Hamilton did join the forces of the King of Sweden ; but the little army of Englishmen he had with him, by losses in the field and hospital, both alike mismanaged, was speedily reduced to two regiments, and he returned home without gaining honour or serving the cause, (the recovery of the Palatinate,) for which our blood and treasure were for so many years lavished.

§ Dr. Duppa was soon after made Vice Chancellor of Oxford, and tutor to the Prince of Wales, afterwards Charles the Second. In succession he was advanced to the sees of Chichester, Salisbury, and Winchester, dying Bishop of the latter see. He attended Charles the First during his imprisonment in the Isle of Wight, and when the Bishop was on his death-bed, even Charles the Second knelt by his side to receive the blessing of his old tutor.—*Wood's Athenæ Oxon.* II. 2701.

numbers do but continue at the same. And now, my lord, I humbly return to my duty; and after the acknowledgment of your lordship's many favours, this last addition of your bounty of 2*l.* you sent me purchaseth more from me than I have to bestow; for, be your lordship assured, all I can do is due, and I have no other honour than to be your lordship's humble servant,

J. BLADEN.

April 8th, 1631.

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE LORD FAIRFAX, AT DENTON, IN YORKSHIRE, THESE PRESENT.

MY LORD,

I HAVE made quest according to your lordship's late directions concerning the addition of arms (supporters) mentioned in your lordship's patent, and find that your patent was under the great seal of Scotland; so, according to the direction of Sir Richard St. George, your lordship's recourse must be to the heralds of Scotland; for our English heralds have no dealing therewith. But if it had been under the great seal of England, although Scottish or Irish, Honourable Sir William Segar (Garter) would have undertook to perfect it. Your heralds' fees had been 6*l.* 13*s.* 4*d.* Sir Richard St. George approves of the lion supporters, but with a difference of colour. I am assured by Mr. Tennant and your litter-maker, that your lordship's litter will be ready finished for your use by the return of the same Fletcher that expected it. Tennant much repents him that he employed a man so full of

work and employment, as six weeks' time allowance will not perform his articles.

I have at this time no other news to commend to your lordship than the health of your grandson and those letters; and the enlargement of your beloved cousin, Mr. Bellasis, which was by subscribing an order tendered to him at the time of his commitment, to this effect: That whatsoever affront he did to the Lord President, it was unwittingly and nowise voluntary, and this he would acknowledge, as well here, under his hand, as in his country. Sir Thomas Gore avoided the danger by protestation.*

Commending with these my humblest and ever bounden service and prayers for your lordship's health, I rest your lordship's servant, J. BLADEN.

13*th May*, 1631.

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE LORD FAIRFAX, AT DENTON.

MY LORD,

THE exceeding great difficulty in procuring this litter to be fitted for this opportunity your messenger can well witness, but I cannot with patience relate to your lordship the solicitation and means we have used; but having overcome all, I hope it will very well please your lordship.

Yesterday being the last Star Chamber day of the

* Mr. Bellasis was a grandson of Sir Henry Bellasis, married to Ursula Fairfax, sister of Thomas, first Lord Fairfax of Cameron. The father of Mr. Bellasis had been created Lord Fauconberg. It does not appear for what offence he and Sir Thomas Gore or Gower (see p. 227) had incurred the displeasure of the Lord President Wentworth.

Term, a cause of very great moment was censured there, viz., the Lord Mountnorris, Sir Arthur Savage, a sheriff in the country of Ireland, and one Bushen (whose father being executed upon small or no cause in Ireland), gave out scandalous speeches of the Lord Deputy (Faulkland) that he had unjustly put him to death. Sir Arthur Savage framed a petition to the King against the Deputy, but they were all censured; Sir Arthur 2000*l.* to the King, 2000*l.* to the Deputy; the Sheriff 1000*l.* to the King, the rest acquitted, save Bushen, only with submission; but upon a cross-bill in this business, which is retained in court, it is thought the business will be proved, for much of the circumstances were discovered in this cause:*

A se'nnight ago Sir Giles Allington for marrying his sister's daughter was libelled against in the High Commissioners' court, wherein he was fined 12,000*l.* to the King, his wife 10,000*l.*, and his father-in-law, Dalton, 1000*l.*; he was bound in a bond of 20,000*l.* never to accompany with her any more.† It may be by

* The report of this case is given by Rushworth (III., Appendix 36), but the name of Lord Mountnorris does not there appear. It was evidently a conspiracy to secure to a man named Bushen, the property that would otherwise be forfeited to the Crown, upon the execution of his father for murdering his wife. This effort would have been venial; but the unscrupulous means to which the parties conspiring resorted, merited a severe punishment.

† The marriage of Sir Giles Allington to his own niece, repugnant as it is to the divine ordinance, would have been proportionably punished by imprisonment of the parties, and annulling their union. But such a punishment as that inflicted, testifying that courts of justice were debased to offices of extortion for the supply of the royal treasury, loosened more and more the respect of the people and confidence in the constituted authorities. Well might the Rev. Mr. Garrard speak of this to Lord Wentworth as that "horrible fine in the High Commission," when he was mentioning the death of the niece in 1634.—*Strafford's Letters*, I. 359.

this time your lordship hath heard divers reports of the Lord Audley's death; he seemed to be very penitent, but avowing his soul guiltless of the fact; inveighing against his wife and children that were his accusers, and so he died. And this hath given cause to some to apologise for him, and excuse, insomuch that some (either through ignorance or partiality) have rendered him guiltless.* This is a humble present of my ever bounden service I tender, and shall await all opportunities that may further express me,

Your humble servant,

J. BLADEN.

28*th May*, 1631.

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE LORD FAIRFAX, AT DENTON, THESE PRESENT.

MY LORD,

I HAVE herewith sent your grandson's letters, and an humble petition of my own, grounded upon his reasons, and as sensible of them, although without his privity. The voice of the vulgar is, an exceeding great famine and dearth in France, which is most obnoxious to strangers. His present means only keeps him in meat and lodging, with (scarce) an addition of clothes, much

* Lord Audley (Earl of Castlehaven) suffered for aiding another to commit a rape upon his wife, Lady Audley, and for an unnatural crime. Unless his wife, his daughter (whom he helped to debauch) and all his servants were perjured, there can be no doubt of his guilt. It is as certain, however, that all the parties were grossly immoral, and that Broadway, who was one of them, and also died on the scaffold, did not exaggerate when he said that Lady Audley was "the most wicked woman in the world."

more of the chargeable exercise of parts, which is the end of his travel and your lordship's expectation. My humble suit, therefore, is that your lordship will be pleased to add a little more to this quarter, which may be abated at a more plentiful time. If not, at the best he can but be a wandering prisoner, debarred the enjoyment of the best of manners. This to your honourable consideration.

I should here continue my occurrents, but the times preventing, I shall but touch to add to your lordship's belief. Magdenburg, a Hanse town of the empire, by reason of their profession were besieged by Tilly, and after two repulses and one fearful treachery, was surprised and burnt, only the monument of a church remaining, and the greatest part of the inhabitants put to the sword. The Marquis of Hamilton is levying volunteers for the assistance of the King of Denmark.

The siege which lately lay before Briges (Brieg?) is raised, to what end we hear not as yet. But the loss of Magdenburg is generally bemoaned.

It is reported by some of our well-willers that Dr. Moreton, Bishop of Bath and Wells, is very likely to be our archbishop, who, for deep learning and true humanity, deserves such elevation, but certainly his competitor is no other than the Bishop of London, a man very unwilling to leave the Court.* Dr. Buckerige, late

* Dr. Montaigne, Archbishop of York, died in the March of 1631. Dr. Morton was too temperate a character for Laud to recommend him as a fit successor. Dr. Neale, Bishop of Winchester, one of his own fiercely resolved partisans for Church ascendancy, and denounced by the late Parliament, was selected for the northern archiepiscopate. Laud himself, at the time Bishop of London, waited for the still higher metropolitan see of Canterbury. He had to wait but two years.

Bishop of Ely is dead. The Lord Falconberg continues still in the Fleet. Thus much and my humble service at this time, always praying for your lordship's health, and ready to be commanded,

Your humble servant,

J. BLADEN.

June 9th, 1631.

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE LORD FAIRFAX, AT DENTON, PRESENT THESE.

MY LORD,

THAT I may not neglect my service, and your lordship's just expectation, I have ventured upon a small occasion at this present. As news being the common theme is at this time very barren, so nothing but opportunity is become my subject. Yesterday was the fatal execution of two of the Audley servants, both parties and fellows in his death-deserving fact. The one, Fitzpatrick, died as resolute as his lord. The other (one Broadway), who died for the very rape, blamed much a privy councillor who had examined him, who in the way of his examination, willed him to confess all, and he would procure his pardon (of which he much presumed); which, otherwise, he said that all the inquisition in the world should never have forced from him.* Likewise yesterday the Lord Marquis Hamilton commenced a press for the completing of his

* According to the statement in Rushworth (II. 102), it was Fitzpatrick who accused a privy councillor (the Earl of Dorset) of entrapping him.

company, after three weeks' summons by the drum, which denotes a great deal of unwillingness of the common people to the Danish service. On Tuesday next all are to be in readiness for present expedition from the Thames. Thus much to your lordship at this time, and my prayers for your lordship's continuance of health and happiness. I rest further to be commanded,

Your lordship's humble servant,

J. BLADEN.

6th July, 1631.

Lord Wentworth had married, in 1625, Arabella, the second daughter of the Earl of Clare, and it is while viewing him as a husband and as a parent of the three children she bore him, that the political moralist feels tempted to blot out or soften his sterner condemnation of his lordship as a statesman.* It is here, in the bosom of his family, that Wentworth demands from us a more than ordinary tribute of admiration, but we record it chiefly, on account of a letter, announcing the particulars of the most painful dissevering of his domestic ties. We have discerned in many of his letters, as well as in those of his friends, passages suggestive that that bereavement was peculiarly painful, but, until we met with the following, we were not aware that he was, most innocently, the cause of his wife's death, whom, even in his memorable contest for

* These three children were William, to whom his father's titles were restored in 1665; Anne, or "Nan," his favourite, married to the Earl of Rockingham; and Arabella, united to Viscount Mountcashel.

life before the House of Peers, he remembered, with tears, as "that departed saint now in heaven!"

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE LORD FAIRFAX, AT HIS HOUSE, DENTON.

MAY IT PLEASE YOUR LORDSHIP,

I WAITED yesternight on my Lord President, whom I found in a very pensive case, and sufficiently sensible of his loss, which at that instant was more stirred by reason of those newly returned that attended the body to its burial, which was embalmed and the child taken out and wrapt beside it, and sent to Woodhouse to be buried. His lordship told me the occasion, much after the manner it was related to you by my brother. The strange fly he brought out of the garden upon his breast unperceived into my lady's chamber, who hastening to wipe it off, it spread a pair of large wings, somewhat fearful to her, at which she stepped back and gave a little wrench of her foot; but my lord did not think that any occasion of her sickness, but rather the fright, not being used to the sight of such vermin. I staid above half an hour with him, and would have staid longer, but that the discourse of his loss bred but his further sorrow, and after I had seen his sweet children, I came away. I presented your service to him, and made known your intentions, had there been any possible means, of coming to wait on him. He gives you many thanks, and said he could not expect it, and did wish me to remember his service. In truth he is much cast down by this great loss, and the whole city generally has a face of mourning, never any woman so magnified

and lamented even of those that never saw her face. There is no certain time known when my lord goes towards London, which will be some day the next week; in the meán time he settles the businesses here for a longer absence than was intended. I thank God the fear of the sickness is not great here, no house within the walls infected nor doubt of those which are shut up. Our churchmen now conclude that Winchester will be the archbishop.

Your lordship's humble and obedient son,

FER. FAIRFAX.

York, this 8th of October, 1631.

TO THE RIGHT HONOURABLE HIS VERY GOOD LORD, THOMAS LORD FAIRFAX, BARON OF CAMERON, AT DENTON.

MY GOOD LORD,

BUT that I know (by the manifold favours conferred upon me) your honour's noble disposition, I should scarce dare to trouble you with my letters any more, presumption and neglect equally swaying me towards silence. Yet, if your lordship please to know, the averseness of my affairs towards the Court this last spent summer proceeded in a Saturn motion, so slowly and with such fear, that I not only forget my office of dedicating service to my friends, but (which most grieves me) of tendering that sincerity to your honour, which your lordship's goodness and my vows both bound me to. This three months I spent in France, at Paris the most part, though Orleans awhile detained me; at both which places living not secure from the pest, I devoted a month's time in seeing some of the

King's houses. At Fontainebleau I saw the Court, where was with the King, his Queen, the Cardinal de Richelieu, the Archbishop of Lyons, his brother, and others, but very few of the nobility. He went twenty days ago towards Sedan; the Monsieur d'Orleans, his brother, some say, is in Lorraine, others in Brabant; the Queen-mother is there; which is all the news France enables me to present your lordship. Mr. Fairfax, your lordship's grandchild, is in health, and with some gentleman at Meuse. I inquired of him at his old lodging, near Port Busse, in Paris, where I received the report of his delivery from the small-pox, and welfare. I aimed to have waited on him, but in good faith, I was so afraid of myself, having been too bold in infected cities, that I thought it unfitting to travel to him. My Lord of Pembroke will, I hope, be my friend in an occasion that I go about; I refer the sequence to God's mercy. Till I may with better confidence report, I will conceal it from your honour; but not the best and whole part of my service, which I tender to your lordship, and wish I may still live, able (though unworthy) to do your lordship service.

THO. HERBERT.*

Strand, November 3, 1631.

TO THE RIGHT HONOURABLE HIS VERY LOVING UNCLE, THE LORD FAIRFAX, AT DENTON, THESE.

MY LORD,

GIVE me leave first to excuse my not writing by your servant Lawson, being absent when he came for

* Sir Thomas Herbert was connected with the Fairfax family by his father's

my letter. This inclosed is the copy of the King of Sweden's letter to our King. There were slain of Tilly's army above eighteen thousand: but it is not true that Tilly is dead, only hurt in two places, and since, he hath got together above twenty thousand. There were lately six thousand slain by the French King, most of them Frenchmen under the Emperor's colours, supposed to be plotted by the Queen-mother; it is thought troubles will be in France, and I wish you would be pleased to send home for my cousin. Monsieur Vendôme is now at Court, come to see the Queen: she was delivered of a daughter, upon Friday morning last, christened Maria.* We have no home

intermarriage with the Ackroyds of Foggathorpe, in Yorkshire. It will be seen, by reference to p. 163, that Lord Fairfax's grandson returned to England soon after this, according to the wish expressed in the next and other letters from his friends at this period. Sir Thomas (then only Mr.) Herbert, was one of the Parliamentary Commissioners attached to the army of Sir Thomas Fairfax, yet he was trusted and beloved by Charles the First, of the close of whose life he has left a highly interesting narrative, entitled "Carolina Threnodia"—See *Wood's Athenæ Oxonienses*, II. 690.

* This was Mary, who eventually became Princess of Orange. She was born on the 4th of November, 1631. The event is thus more fully particularised in a letter to Sir Thomas Pickering:—

SIR—Upon Thursday last the Duke of Vendôme, illegitimate brother to our Queen, arrived here from out the Low Countries, and is lodged at Sir Abraham Williams's house.

Upon Friday morning, about four of the clock, the Queen was (God be praised) safely delivered of a princess, who was christened the same morning, by reason it was weak, as some say, it being born three weeks before the time: but I have heard it was done to save charges, and to prevent other christening. The name Marie. The Countesses of Carlisle and Denbigh godmothers, and the Lord Keeper (Coventry) godfather; the Lady Roxburgh, governess; and the nurse, one Mrs. Bennet (some say wife to a baker), and daughter to Mrs. Browne, that keepeth Somerset House.

Your very assured friend and servant,

GEORGE GRESLEY.

Essex House, the 9th of November, 1631.

occurrence worth relating; so, praying for your health and happiness, I take leave.

Your nephew, to do you service,

FAUCONBERGE.*

November 7th, 1631.

TO THE RIGHT HONOURABLE MY NOBLEST FRIEND, THE LORD FAIRFAX, AT DENTON, PRESENT THESE.

MY LORD,

YOU would have received my letters by your servant Mr. Lawson, but that he met your business upon the way, and so is returned to London to dispatch it.

There is nothing new, but the Queen's safe delivery of a daughter, who is christened Mary, by the Bishop of Oxford.

The Duke of Vendôme, base-brother to the French King, is lately arrived in London, well attended by cavaliers and soldiers, but unrespected by any other, nor any way entertained by our King, but lodgeth at the house of the French ambassador, at his own charge.

There is like to be great stirs in France; I do heartily wish you would send for my cousin Tom home, or to dispose him some other course out of France.

* Viscount Falconberg was still confined to the Fleet, for refusing to obey some mandate of the King relative to putting in an answer ordered by the Lord President Wentworth in the Northern Court. Wentworth could never endure anything savouring of disregard to his authority, and writing to the Secretary of State (Lord Cottinton), he begs in a tone of no little rancour, that he may send a serjeant-at-arms for the Viscount, holding out as an inducement that "there was like to be a good fine gotten of him for the King."—*Strafford's Letters*, 1. 76.

My service and my wife's presented to your lordship in the old fashion, I humbly recommend you to the protection of our Lord God Almighty, and remain,

Your lordship's true friend to command,

WILLIAM VAVASOUR.*

Leadenhall, this 13th of November, 1631.

TO MY NOBLE AND MUCH HONOURED LORD, THE LORD FAIRFAX, AT DENTON.

MY MUCH HONOURED LORD,

I AM sorry the weather hath been so unseasonable as I could not wait upon you according to my desire and engagements, and now I am preparing to go to Mr. Mallory's the latter end of this week (a journey I have been undertaking ever since Michaelmas), so as what I have heard lately from London (which is but little) I present unto your lordship at this time.

It is now confidently affirmed that Tilly is recovered, and that he hath got as great an army as the King of Sweden, and I am persuaded they will not part this winter without another battle. My Lord Hamilton, they say, doeth wonders in Silesia, but the particulars I hear not. It is likewise voiced that the King of France hath routed lately six thousand of the Imperial forces, sent to assist the King's brother in the Franche Compté; but of this I have no great confidence.

At home there is a strong belief of removals of officers, which I account but a Hollandtide blast; only this I

* Mr. William Vavasour, of Haslewood, in Yorkshire, was connected with the Fairfax family, in consequence of his father having married one of the aunts of Lord Fairfax.

believe, that your lordship's noble friend, and mine, my Lord of Newcastle, is not sent for to Court but with an intention to settle him there, near his Majesty's person, or in some place of office before Christmas.* His Majesty, they say, is resolved for Scotland this spring, and I am verily persuaded he will now perform it.

Your lordship's friends and servants here are all in good health, and present their loves and services to you by the hand of me,

My Lord,

Your lordship's most affectionate and faithful servant,

H. CLIFFORD.

Skipton Castle, this 30th of November.

TO THE RIGHT HONOURABLE MY SINGULAR GOOD LORD AND MASTER, THE LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

I CANNOT yet hear any more from Mr. Fairfax but what I had from Mr. Herbert. I hope his letter gave your lordship content, concerning his recovery, for he assures me, that although he did not see him, yet he had the same from a very good hand. The fifty pounds I delivered to Mr. Burlemaqui the same day I came to town, and received from him two bills of exchange,

* Sir William Cavendish, Earl of Newcastle, and successively Marquis and Duke of the same, was an intimate friend of Lord Wentworth, as well as of Lord Fairfax. He was one of the most accomplished noblemen of the day yet undistinguished for any great success in anything. It has been truly said of him, that he was a better horseman than musician, a better musician than poet, and a better poet than general; yet he played well on some instruments, wrote verses, and commanded the royal army. A few years after the date of this letter he was made tutor to Prince Charles, the King's eldest son.

one whereof I inclosed in Mr. Bladen's letter, which Mr. Burlemaqui undertook to send away with all speed, and the other I put into a packet with your lordship's letter, and sent it the next morning by the French post, which was then going for France. Auditor Fanshawe and Mr. Stapilton came on Saturday, at night, to London. I have been with them both. They have promised to do your lordship the best service they can, but in regard I am informed there hath been some about the same thing, who have been at the Audits Office, and have notes of the former grants, I have gotten Mr. Vavasour to move my Lord Savage (one of the Commissioners for the Queen), with whom he is very inward, and Mr. Proctor hath moved Sir John Finch, who is the Queen's attorney, and one of her Majesty's commissioners; so that I hope we shall have very fair play. Now, I am to prefer a petition to the Council on Wednesday next, the first day of their sitting this term; which I shall have answered on Friday following, and fully understand how I shall deal, and upon what terms, and then, by God's assistance, I will be with your lordship the next week, hoping before then Mr. Ellis will be come to London.

The Queen was delivered on Thursday last; God hath sent her a daughter. There was great rejoicing in the city, and bonfires made in every street. Her Majesty lies-in at St. James's, which was the cause of my Lord of Danby's removing to Cornbury. I have been divers times with my Lord Faulconberg, who hath often promised to write to your lordship, but I cannot yet get his letter. My Lord President came on Saturday night to London, privately. Only Mr. Wandesford met

him.* Mr. Briggs departed this life a quarter of a year since.

Thus, my lord, I crave pardon if in any thing I have not done according to your lordship's expectation; hoping to give your lordship content at my return, and presenting my humble service, I take leave.

Your lordship's most humble servant,

RICHARD LAWSON.

From the Rose and Crown, in Grays' Inn lane, this 7th of November, 1631.

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE LORD FAIRFAX, AT DENTON, THIS PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

I WAS yesterday to attend my Lord President (Wentworth) concerning Mr. Steele's business, but by reason of dispatches of greater matters by Mr. Attorney, who was ready for London, I was forced to attend. In the middle of dinner his lordship came, and as soon as meat was taken away, he hasted to his business, yet upon my importunity to know his pleasure, he was pleased to tell me that the justices in the sessions had proceeded beyond their authority in the censure of Steele, in giving damage to the country; the power of sessions being only to fine to the King, and give corporal punishments, and therefore being done (*coram non judice*) it was in his choice whether he would pay it or no, and not in our power to compel him; adding also, that if we had acquainted his lordship and the rest with our intended proceedings, they would have gone

* Lord Wentworth was now journeying to Ireland, to enter upon his duties as Lord Lieutenant.

along with us, and enabled us with the strength of that court to have done what we did aim at. He said also the fine to his Majesty was too little; but the chief thing that was offensive, was that in so public and important a business we proceeded without making them acquainted. This with divers circumstances was very moderately urged; to which I answered, that the money to the country was not given by way of fine, nor damage, but a restoring of what himself confessed, and was partly proved, he had cosened the country of; which if he did not voluntarily pay, we had time enough to sue him for it, and seek the just favour of that court. For the other part, of making the Council acquainted and advise with them in public matters, I thought it a most fit course, and would be ever ready to observe it; but to make it a thing of absolute necessity, and solely to depend on their directions had not been formerly done. For my own part, as I had always, so I would continue to give all due respects, and thus we parted.

Though the discourse and reprehension from his lordship was in a most friendly manner, yet thought I it not fit to discover that the directions of the sentence came from the judge. Sir H. Goodrick and Mr. Mauleverer went on Saturday and were mildly reprehended: his lordship told them he had rather have spoke with me than them, which made me expect some tartness from him, but I was deceived. He is at this time much perplexed with many businesses. Mr. Attorney staid yesterday, and was this day, when I came out of town, ready with his wife and Mrs. Rhodes to set forwards at noon, but I cannot assure his going then. Certainly

my lord will not now stay long, for many letters from above hasten him to Ireland, and all business there is at a stand, and put off for his coming; if his own words may be credited, he will be there before Christmas. If my son Charles come to-morrow, we shall be ready to set forwards the next day. I thank God none here hath any sickness. The next day the measles came out they died, and he was with me this journey at York. I hope my son may adventure to come hither, that we may together set forwards. I shall faithfully endeavour to observe your directions, and do humbly desire your blessing on us, ever resting,

Your lordship's most obedient son,

FER. FAIRFAX.

Knaresborough, this 23rd of October, 1632.

TO THE RIGHT HONOURABLE MY MUCH HONOURED LORD, THE LORD FAIRFAX, AT DENTON, PRESENT THIS.

RIGHT HONOURABLE,

MY very good lord, upon consideration of the great amity that formerly hath ever been betwixt my lord and your honour, thereby I am emboldened to take thus much hardiness upon me. And least in the absence of my Lord Wentworth, (who is now upon his journey for Ireland), something might happen in the places where your lands are mixed, that I could not tell how to carry without giving offence either to the one or the other; therefore, to avoid that danger, I am very desirous you may meet together, and I doubt not but upon that meeting you will so agree and settle things betwixt yourselves, that your servants need not to be

troubled with any differences during my lord's absence. Therefore be pleased to understand that upon Wednesday next (God willing) my lord will be at Hawthorpe, and stays there till Friday morning. And if your lordship's health and convenience would serve to see him there within that time, I know my lord would be passing glad to see your lordship, and take it as a great kindness from you. And upon your meeting, I hope some good motion may be made touching Rigton that may serve to both your contents. And truly, the desire I have to do you both service, makes me venture upon this hazard. I will trouble your lordship no longer, but crave pardon for this boldness, and will ever remain,

Your lordship's humble servant at your command,

RICHARD MORRIS.

York, the 10th of January, 1632. (1633, N. S.).

In the July of 1633, Lord Wentworth reached Dublin, and it is curious to observe with what determination he entered upon that course of stern misrule, which was continued for more than two centuries, and is now discovered to have been unjust as well as impolitic.

In one of his first despatches, dated August the 3rd of the same year, he says:—"I find them in this place a company of men the most intent upon their own ends that ever I met with, and so as those speed, they consider other things at a very great distance. I take the Crown to have been very ill-served, and altogether impossible for me to remedy, unless I be entirely trusted, and lively assisted and countenanced by his Majesty."*

* Strafford's Letters, I. 96.

The uncontrolled dictatorship he thus coveted was not withheld from him, and he rioted in it with an iron despotism unparallelled at any other period of the dark page of Irish history. It is quite true that he has been praised for securing to her a well-paid and disciplined army; for obtaining a bounteous revenue from her to the King; and for increasing the Protestant Church property by no less an annual sum than 30,000*l.* That he did all this, and that he has been applauded for this harvesting is certain, but the advantage, the temporary advantage, was dearly bought; the hatred for Saxon misrule which it engendered has been made an heir-loom in every cabin of the land.

No better epitome of Wentworth's proud, fierce oppression of that land could be given than in his own letter to the Secretary of State, bearing same date with that from which the last quotation is taken. It tells how he purposed to wring money from the people; how he dogmatised to the judges; how he cajoled the military; and how he browbeat his council. In not one of these did he choose to confide; for, to use his own words, "the Master of the Rolls (Sir Christopher Wandesford) and Mr. (Sir George) Ratcliff are those whom I only trust on this side; and do most humbly thank his Majesty that I have them here; without whom, I see plainly, I should not have been able to have done him service."* Now, Ratcliff and Wandesford were his own relatives, who had accompanied him to Ireland, and yet, in one short fortnight's acquaintance with Dublin, and Dublin only, he had resolved

* Strafford's Letters, I. 99.

that Ireland had no other capable and trustworthy councillors.

Within a twelvemonth after Wentworth's arrival in Ireland, Mr. Bladen had occasion to proceed thither, and thence wrote the following :—

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE LORD FAIRFAX, DENTON, PRESENT THESE.

MY VERY GOOD LORD,

SINCE I last waited on you at York, upon some private reasons I entertained a resolution for an Irish journey.

Your lordship shall understand that these are only three weeks' observations. I am not able to give you a survey of the country, nor of the men and their manners; but what I have therein observed your lordship shall expect it in our next discourse. In the meantime, of the times as they are drawing on to a Parliament.

The natives and the ruder degenerated English have altogether thwarted the expectation of my Lord Deputy, in the election of such Commons as they could possibly find averse to civility and peace; and certainly, if cause of religion should come in discourse, (as without doubt it will not), the very Commons were too strong for the Upper House. Of the English nobility in Ireland summoned, we conceive they shall by proxies, upon reason, be dispensed with. Great expectation of this Parliament, which invites me to see a week's progress before I return for Yorkshire. My Lord Deputy hath achieved high honours in his respect to justice.

Your lordship hath understood exceeding underminings and extorting of estates, for which here is erected an especial committee for defective titles. A greater grievance is subornation, upon which great estates are decreed away from the innocent; for a man that can procure a priest to equivocate or dispense with the oath of half-a-dozen deponents, is ground enough for a decree. Herein lately suffered one Sir Nicholas Walsh, a son to a late Lord Chief Justice; himself, upon discovery in the Star Chamber, fined at 1000*l*, and each of his witnesses as much. Thus much as Deputy.

Now, as Lord General, which are two distinct honours and powers, he is exceedingly careful in the management of his martial course. He takes a course that a sufficient power shall constantly reside in the city here; and this is by commanding of one horse troop and two foot companies, besides his own horse and foot, shall daily exercise their arms here, the discipline whereof he divers times undertakes himself; sometimes in drilling, again in his arms skirmishing; and, certainly, this strikes a terror into the guilty ill-wishers of the State's prosperity. These companies are renewed monthly; and this course better satisfieth the natives, who bear a continual heart-burning against those troops being selected, men contrary both in religion and manners.

Next my Lord Deputy, the lay-revenue in the Customs and Exchequer relies much upon Sir George Ratcliff, a man exceedingly improved in the state and the affection of officers. The management of religion and that course is directed by Dr. Bramhall, Bishop of Derry;* the arms by Colonel Farrar,

* Dr. Bramhall was another of Wentworth's neophytes. He had been

wherein my lord is exceeding happy that he hath such noble and expert men in their several ways, being himself such an one as hateth an ill-conditioned man, and drinkers, that affect such humours. As he is very severe in the punishment of offences, so is he careful that as well his family as himself shall be exemplar in practice and ambition of good and honourable actions and employments. These envy might have said, and in truth, saving that nature hath not given him generally a personal affability, wherein he seems to those who have suffered by him, in justice or power, implacable; yet those who are familiar to his discourse, say that he is exceeding noble. He is not forward in the advancements of his servants, having disposed little, as yet, to the most deserving. He hath no favourite but his council, which keeps off curtain and chamber motions, which he detests; he concludes nothing by petition, but reference, and that to two for the most part. I am too much digressed into a character from a letter. But to return. These being my first lines to your lordship out of this kingdom, afforded me so much matter, that I could not contract myself with any method; but such as they are, I humbly beseech your lordship to accept, and

Your humble servant,

J. BLADEN.

Dublin, July 2, 1634.

Prebendary of Ripon, and was taken thence with him by his lordship to Ireland. He was forthwith made Archdeacon of Meath and Bishop of Derry. He was a learned, able, and intrepid divine.

TO THE RIGHT HONOURABLE THOMAS LORD FAIRFAX,
AT DENTON, PRESENT THESE.

MY MOST WORTHY GOOD LORD,

THE Commission is already prepared, and Mr. Tomkins adviseth me to repair again to him the next week, which pleaseth me the better in regard that I may have Mr. Benson's advice. I have sent your lordship two pair of stockings; the yellow (which are of five threads) cost eight shillings and sixpence, the other ten shillings and sixpence. Your plush stockings (though often remembered to him before), yet presently I cannot have them: pretending multiplicity of business, the long time he expected in knitting of them. I have his promise to receive them this next week, which, if I may have, they shall not long sleep in London. We have no great news in London. The Marquis St. Chamont (the French ambassador) is returned; his attendance was great, but his message not divulged. I have received of the carrier forty shillings, which makes my other debt of forty shillings the greater; but for both I shall be accountable to your honour, as for many undeserved favours; all which bind me ever to be,

Your honour's most obedient servant,

CHRISTOPHER HERBERT.*

London, June 7, 1632.

* Christopher Herbert was the father of Sir Thomas Herbert, one of the King's last and most favoured attendants. See p. 239.

TO THE RIGHT WORSHIPFUL AND MY VERY MUCH ESTEEMED FRIEND, SIR FERDINANDO FAIRFAX, KNIGHT, AT KNARESBOROUGH, GIVE THESE.

GOOD SIR FERDINANDO FAIRFAX,

I SALUTE you with my best well wishing. My haste at this present will give me no leave to relate to you any novelties. All goes on well, God be thanked, in the King of Sweden's enterprise. God, as it seems, is his protector. This last Courant will relate the last passages.

Our Lord President stays yet, it is said, till a marriage be solemnised between my Lord Treasurer's son and the Duke of Lennox his sister, whose sister is married, as you know, to my Lord Maltravers.* My Lord Faulconberg doeth nothing, but things stand as they were, which time makes worse in such cases. Thus, with my desire to be remembered to my lord your father, I bid you heartily farewell, in haste, this 11th of June, 1632.

Your assured well-wishing friend,

RICHARD HUTTON.

Sir John Jackson hath prevailed in all against my Lord Saville, who is fined 1000*l.* and much blamed, and the second cause my lord is dismissed and fined 40*l.* Per Judie Clamore.†

* Lord Treasurer Weston was this year raised to a higher degree in the Peerage, as Earl of Portland. His eldest son Jerome, married Frances daughter of Esme Stuart, Duke of Lennox, soon after this letter was written.

† This Lord Saville seems from these, and other facts already noticed, to have been a man of uncontrollable temper, and leading us readily to believe this character of him, drawn by Clarendon. "He was a man of an ambitious and restless nature; of parts and wit enough, but in disposition and inclination

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

MY Lord President is expected on Saturday night; for the business of his stay, which Mr. Justice Hutton writes of, was certainly consummated on Thursday last. My Lord Fauconberg was expected on Saturday night at Newborough, where my Lady Lister and my cousin Dalton stay to visit him, but I doubt the differences betwixt him and my Lord President, which Bishop Morton (now assuredly of Durham) has earnestly laboured to reconcile and cannot, will keep him hence. My cousin Slingsby is expected on Saturday next at Redhouse. I shall wait on you so soon as the evil ways over the moors will give passage to my weak horses. Craving pardon for my haste at this present, I remain,

Your lordship's humble and obedient son,

FER. FAIRFAX.*

Knaresborough, this 20th of June, 1632.

so false, that he could never be believed or depended upon." The case mentioned in this letter related to more than one person already noticed in these pages, and its details are thus given in the records of the Star Chamber. "Lord Saville purposing to affront Sir John Jackson, though under pretence of preserving the King's game, came armed with more than twenty others, into Materfriston fields, where Sir John and his friends were hare-hunting; they having permission from Mr. Vavasour, in whom was the right of free-warren. Saville addressed Sir John with, "Sirrah, by what authority do you hunt here?" and the reply being, "By Mr. Vavasour's," retorted, "Sirrah, begone, or I will send you packing. I scorn both you and Mr. Vavasour." Lord Saville and his company then drawing their swords, drove Sir John, who was unarmed, out of the field, telling him "A pot of ale was fitter than a sword for him." Lord Saville was find 1000*l.*, and Grant, one of his attendants, 250*l.*, with such other reparation as the Court might direct."—*Rushworth*, III. App. 46.

* Mr. (afterwards Sir John) Melton succeeded Sir Arthur Ingram in the

TO THE RIGHT HONOURABLE HIS VERY GOOD FATHER, THE LORD FAIRFAX, THESE PRESENT.

RIGHT HONOURABLE,

YOUR lordship may be pleased to be informed by several letters which I have now received from a very good hand, the latter bearing date from London, the 18th of January, that the Earl of Arundel and the rest of the lords were then landed in the Low Countries; the Queen of Bohemia not then ready to come for two months; the Prince Charles of the Rhine gone to the meeting of the electors at Wittenburg in Saxony, with Sir Robert Anstruther attended by 2000 of the States' horse, there to demand his right and establishment in the Palatinate. The King of Sweden's body is at Wittenburg still. The King of Bohemia's at Frankendale. They keep it in hope Heidelburgh will be quit of the Imperialists to bury him there. Wallestein is at Prague, gathering an army if he can; they are weak, and the good party strong. The French King looks about him,

place of Secretary to the Lord President of the Northern Court, and occupied for some months Lord Fairfax's house at York. Dr. Morton, just translated to the See of Durham, succeeded ultimately in adjusting the quarrel between Lords Wentworth and Fauconberg; and the latter attended upon the King at York, when on his progress into Scotland the year following. "My cousin Slingsby" was Sir Henry Slingsby, who had married a daughter of Lord Fauconberg. His estates in Yorkshire were Scriven and Redhouse. At the latter, Charles slept during the progress just alluded to; and the bed in which he slept is still preserved there. On the occasion of this visit races were held on Achombe Moor, the King being present. A favourite racer, belonging to Sir Henry, won the chief prize; and, in memory of the animal, its effigy was cut in stone, by Andrew Karne, the Dutch statuary, and placed in the centre of an area, formed by the moat of the ancient castle at Redhouse.—*Preface to Sir H. Slingsby's Memoirs.*

and will, as is thought, look towards an imperial crown. His mother and brother are so poor at Brussels he fears no new attempts. Cologne is, or will be, besieged; who commands in chief in that service the relator knew not, but the most part of the forces are the Landgrave of Hesse's. At the Hague they treat again, but the States ask such conditions that those of Flanders dare not yet consent, for fear of the King of Spain. This being the substance of these letters, I have no more but to beg a blessing to

Your lordship's humble and obedient son,

C. FAIRFAX.*

January 29th, 1632. (N. S. 1633.)

TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE LORD FAIRFAX, OF CAMERON, PRESENT THIS.

MY LORD,

I AM so much engaged to your honourable remembrances lately by my uncle Herbert, and all other

* Of this Charles Fairfax, brother to Ferdinando, and therefore uncle to the Parliamentary General, the following notice occurs among the Fairfax MSS., from the pen of Mr. Bryan Fairfax:—

"Charles Fairfax was born 1595; was barrister-at-law in Lincoln's Inn, to which society he bequeathed some excellent manuscripts. He lived many years a peaceable life; but in the unhappy Civil Wars was tempted to accept a commission of Colonel of Foot, which command he executed with great reputation, being exemplary for courage and integrity, which recommended him to the intimate acquaintance and friendship of General Monk, to whom he stood firm, with his regiment, in Scotland, when the rest of his army wavered. He marched into England with him; was made Governor of Hull, 1659, which he resigned to my Lord Bellasis, and had a pension settled by his Majesty, Charles the Second, by patent, to him and his heirs, of 100*l.* per annum, out of the port of Hull.

"He was an excellent scholar, but delighted most in antiquities, and hath left many valuable collections of that kind. He hath left a most exact pedigree of

times, that I must needs accuse myself guilty, and unworthy the continuance of them by seeming in dull idleness to bury them without advantage. I am confident in this though, that none can with more fervour than I do in desires and prayers mediate your lordship's health and quiet, and if my own merit or benefit

our family of Fairfax, which he calls 'Analecta Fairfaxiana,' proved by evidence out of which, I (B——, F——) transcribed what in this book concerns the family: the original being in Denton Library. He died at Menston, December 18th, 1673, ætat. 78."

The following are the extracts from letters relative to German affairs, alluded to by Mr. Fairfax:—

ADVICE FROM GERMANY, COLLECTED OUT OF SEVERAL LETTERS OF THE 10—20 AND 12—22 OF JANUARY, 1632. (N.S. 1633.)

The present constitution of affairs, since the King of Sweden's death, in Germany stands thus. The Imperialists have taken courage everywhere, both at the Emperor's and Duke of Bavaria's Court. They speak of nothing but war, and of the present reign of the Protestant party; to which end, both by their ministers and letters, all princes and cities are invited to the Emperor's obedience; with promises to some, and threats and scorn to others. Nor is the principal point forgotten. Friedland arms, and gives out new commissions daily. They write that thirty regiments are already levied for him in Austria, Moravia, and Bohemia; and he hath appointed the rendezvous. Bavaria doth also make all possible preparations; and the like do other inferior lords, that were glad to be still before.

Of this the Protestants are not ignorant. The Chancellor Oxenstern hath been many days with the Elector of late, where were present divers other deputies; and after long consultation, as good a conclusion is made as can be wished; for the Elector of Saxe hath engaged himself to pursue the King of Sweden's designs, to revenge his death, and never to treat or make peace with the House of Austria. He hath given out new commissions to raise twelve regiments of men; and eight to continue the war in Silesia, Bohemia, and thereabouts. Gustavus Horn hath taken all Alsatia, except Brisech, which is blocked up, and looked to by the Rhinegrave, and Dalchestein, and Zaberne, which have received garrisons from the Duke of Lorraine, who hath hereby broken his neutrality with the Swedish and French Kings. So now General Horn is going towards Augusta, and is joined already with Bannier and the forces of Wirtemberg,—with all which he intends to oppose the Duke of Bavaria, who lately took in Landsberg from the Swedes, and to punish his country that have broken their conditions made with the late King, and refused the contribution they promised and gave hostage to perform.

of occasion had enriched me in this time, I had not failed to devote my integrity in that kind I know your lordship affects, which is by memory.

I wish I had a present of news worth your participation. In these parts we have many rumours and few truths: the best are these; that that common bruit of great French sea forces is very false. Indeed he has entered the lower Palatinate (where perhaps he intends his rendezvous of his German Wars), has seized on three towns, and it is likely aims at the imperial title, which is opposed by the Protestant princes. In regard of his religion, and that the French are grown too insolent and bloody, Bavaria and Cologne have declared themselves his coadjutors and allies; a league will in the end, many think, prove dear and costly to them.

The Duke of Lorraine is with his uncle the Emperor (who now is in person in the field with his son, the King of Hungary), to whom he fled for safety from his French imprisonment, for which the cardinal, his brother, is put into the Bastile, where with Monsieur

Duke Bernard of Saxe Weimar, general to the late King, is to make war in Franconia. Swaben of Bavaria Kniphausen is sent towards the Treeser; and Gustavus Horn, after this present expedition, is to keep the Rhine. And this general instruction is given to all the commanders—to be in action, and do the best service they can against the common enemy, till things be brought to a more perfect order.

Those of Cologne, their Bishop Elector, and the Duke of Neuberg, are combined, and have taken to their assistance 1100 horse and 3000 foot of Spaniards that had been in Luxemberg, to keep it against the States, with which force and their own they intend to beat Bandison out of his new conquest, who is now in Syberg. But the States have begun to appear in his quarrel, the Collonians having broken their neutrality by taking the Spaniards to their assistance. And the Duke of Bovellin, Governor of Maestrich, is sent with some troops into Luxemberg. The French King also opposes the Spaniards that would have fortified some small places upon the Meuse, in the territories of the Elector of Tryar.

Châteauneuf he complains of the Cardinal Richelieu's deceits and arrogancy, who now is at no less height than triumphant in Paris streets in his scarlet coach, red hat, three several corps-du-guard, alters the city, and raises buildings of great ostentation and bravery; Rohan and Du Guise being banished, and Duke d'Epernon reconciled to him since his beating the Bishop of Bordeaux about comparisons. Oxenstern's son arrived this day here in ambassage for the united forces. The Pope's nuncio lately arrived at Brussels with papal power (thereby to please the French king) to disannul Monsieur's marriage with the Lorraine princess, and for his satisfaction was well bastinadoed by four disguised pages of Monsieur's. How the Pope will resent it is questionable, though to us not consequentious; but sure it is an affront beyond a parallel, and may well be Monsieur's, who to vex them farther very solemnly remarried her, and loves her dearly. Eight days before Wallestein's death, Duke Bernard of Saxe Weimar had the good fortune to surprise that magazine, where all Wallestein's estate lay, which he became master of in a happy hour, because he scarce lived to deplore his losses.

The Emperor, it seems, fed too liberally upon Wallestein's supposed revolt, aggravated by his Court enemies. It is the nature of tyrants to be cowardly, suspicious, and merciless. Upon the receipt of his letters, the governor of the town (about which Wallestein's army lay) with twenty halberdiers, entered the house where aged Wallestein was privately merry, with only four colonels and four pages. These officers not telling why, or bidding yield, first nailed the general dead to the wall,

and murdered all the colonels and pages, which done, they fled to give account of their Turkish valour to the Emperor, and to receive reward. So soon as Wallestein's army heard of this massacre, they forthwith assailed the town (near Ratisbon), and without mercy slew all they met with. Thus perished this famous warrior, most unchristianly, and when he most expected glory; the hidden causes of such and like accidents are hid in a labyrinth where mortal ingenuity cannot climb to.

I fear I have presumed too far into your noble patience. Suffer one word more of prolixity compacted in the dedication of your unworthy and

Most faithful to do your lordship service,

THOMAS HERBERT.

St. James's, 14th March, 1633.

TO THE RIGHT HONOURABLE THE LORD FAIRFAX, OF DENTON, GIVE THIS.

RIGHT HONOURABLE,

MY last to your lordship was from London, where I spent the last winter, seeking some money due to me since I was in the service of his Majesty: where, with many friends and much importunity, I got some, gave some, and quitted some, and will rather forget I have more to pretend, than seek it in that manner I see every man must do, that gets anything there. I will name no man, but I think he is something unhappy, that is compelled to be a suitor to the Masters of the Exchequer.

For news in these parts we have not much; the business of Germany goeth very well in the Upper Part, and for these Lower Parts, as in the lands of Paderborn and Westphalia, our friend the Duke of

Lunenberg, with his own troops, and those of the Landgrave of Hesse, have, some three weeks since, had a very brave victory over the Emperor's troops, under the General Bruixhusen, having beaten all his foot and routed his horse, and in the pursuit of this victory taken in divers towns; the troops did belong most to the Bishop of Cologne, and the Duke of Neuberg. The Palatinate (I mean the Lower) is wholly free, and wants but forces to keep it so, which there were hopes to have had some out of England, but I hear that cannot be granted; the reason I believe your lordship knows, and for me I need not write it, but I hope God will nevertheless provide for his Church. For our estate here, the Prince of Orange is ready to go to the field whensoever the enemy doth but stir; but I believe this year he will hardly be the first, but will be upon the defence of his lately gotten victories, having lately stretched their armies far into their enemy's lands. For our traffick into the West Indies, that company prospers wonderfully, having lately taken in some strong places upon the coast, and goeth forward in arming thither, which I believe will trouble the King of Spain so there, that he will be constrained to employ many of his forces that way. I know not further to trouble your lordship with at this time, but the remembrance of my best service, which is and will be at your lordship's command. I believe your lordship hath heard that my Colonel-General Vere hath resigned his regiment to Mr. Goring, the eldest son of the Lord Goring.

JOHN GIBSON.*

Cudwater, the 1st of June, 1634.

Sir John Gibson served in Ireland after his return from the Low Countries,

Next among the Fairfax MSS. of this period occur two letters from its most distinguished female character, the Countess of Dorset, Pembroke, and Montgomery, whose celebrity imparts to them sufficient interest to excuse their insertion here, and they cannot be better introduced than by this biographical sketch stored up with them in the same MS. collection.

•

ANNE CLIFFORD, COUNTESS OF DORSET, PEMBROKE, AND MONTGOMERY.

This lady was daughter and sole heir of George Clifford, third Earl of Cumberland, by Margaret, daughter of Francis, Earl of Bedford, and was lineally descended from Walter de Clifford, the eldest brother of Rosamond Clifford (called "Fair Rosamond") the mistress of King Henry the Second.

She married—First, Richard, Earl of Dorset, and had issue three sons, who died young; Margaret, married to John Tufton, Earl of Thanet; and Isabella, married to James, Earl of Northampton.

Secondly, Philip, Earl of Pembroke, by whom she had no issue. Both these marriages proved unfortunate:

where he had fought under Sir Horace Vere. In the Civil War he acted as a Major General in the royalist army, being taken prisoner at the battle of Nampt'wich, together with Colonel Monk, afterwards so celebrated as the Duke of Albemarle.

. Mr. Goring's appointment, like most other transactions at that period, was made a source of revenue to the Crown. "Young Mr. Goring," says a correspondent of Lord Wentworth's, "hath compounded with my Lord Vere for his Colonel's place in the Low Countries. Twenty-two companies he hath under his command, and his troop of horse. The other companies which my Lord Vere commanded are distributed equally betwixt the three English Colonels—Morgan, Pagnau, and Herbert."—*Strafford's Letters*, I. 166.

her first husband being a man of a licentious life and a negligent husband, continually in contention with her because she never would consent to sell her rights in the lands of her ancient inheritance; and her second, failing to induce her to marry her youngest daughter, Lady Isabella Sackville, to one of his younger sons by his first marriage, behaved so intolerably towards her as compelled her to separate from him, and on his death, in 1649, finding herself emancipated from the thraldom under which she had so long laboured, her great spirit bounded, as it were, at once to the proper height which nature had allotted to it. She retired to her own superb estates in the north and lived in a princely hospitality.

Skipton Castle and its parish church, with five other castles and mansions of her ancestors, were reduced to ruins during the Great Rebellion; these she gradually restored to their pristine grandeur and convenience. She rebuilt the church at Bongate, near Appleby, and the chapels of Brougham, Ninekirk, and Mallersteing, and a great part of the church of Appleby, and endowed a fine hospital for thirteen respectable widows. She placed in that town a statue of her beloved mother, and erected a superb tomb to her father at Skipton, also a monument to Spenser in Westminster Abbey, and one to her tutor, Daniels, at Beckenham, in Somersetshire. She also erected a superb obelisk in Westmoreland, the remains of which on the Roman road, called the "Maiden way," is still identified by the name of "Countess Pillar," to mark the spot where, for the last time, she parted with her mother. She also educated and portioned the illegitimate children of her first

husband, the Earl of Dorset. Removing from castle to castle, she diffused plenty and happiness around her by consuming on the spot the produce of her vast domains in hospitality and charity. Her house was a school for the young and a retreat for the aged; an asylum for the persecuted, a college for the learned, and a pattern for all.

The following energetic and well-known letter was written by her to Sir Joseph Williamson, Secretary of State to Charles the Second, who had presumed to recommend to her a candidate for her Borough of Appleby:—

"I have been bullied by an Usurper, I have been neglected by a Court, but I will not be dictated to by a subject; your man shan't stand.

"ANNE DORSET, PEMBROKE, AND MONTGOMERY."

She died at her mansion of Brougham, 22nd March, 1675, aged eighty-five.

The principal members of the Clifford family are interred in the village church of Londesborough, in Yorkshire. Among the rest is a black marble slab, with a Latin inscription, to the memory of Margaret,* mother of Henry, called the "Shepherd Lord,"†—date 1442 or 1446.

* Margaret, daughter and heir of Henry Bromflete, Baron of Vescy, who brought with her that title to the Clifford Family. Her daughter Elizabeth was married to Sir Robert Aske, from whom descended the Askes of Yorkshire and the Lord Fairfax of Denton, in the same county.—*Banks's Extinct Peerage*, Vol. II. p. 92.

† So called from his being, when about seven years old, disguised in the mean habit of a shepherd boy, to prevent his falling into the hands of the Yorkists; for the memory of his father was so odious to them, that had he been discovered,

TO THE HONOURABLE THE LORD FAIRFAX, AT DENTON, DELIVER THIS.

NOBLE LORD,

I THANK your lordship for your letter and for the examinations of Widow Ramsden, which you were pleased to send me, because she is one of my worthy mother's almshousers. For the examinations, I have here sent them your lordship back again; and for the business itself, I will neither meddle one way or other, but leave it to God in Heaven, and law and justice on the earth. It is true, that I am very sorry any of that house should be accused of so foul a crime, but if she be guilty let her suffer, in God's name; if innocent, my trust is that through Providence from above, and your goodness and wisdom in this world, will acquit her.

And so I rest,

Your lordship's assured friend,

ANNE PEMBROKE.*

Whitehall, this 14th of May, 1634.

they would have revenged with his blood the death of the young Earl of Rutland, murdered by his father. In this manner he lived, deprived of his lands and honours, for the space of twenty-four years, without any education—even so much as learning to write—for fear of discovery; but in the first year of Henry the Seventh he was restored, in blood and honours, to all his baronies, lands, and castles. He was afterwards, in Henry the Eighth's reign, a principal commander in the great victory obtained at Flodden field, where the King of Scotland was slain. When called to Parliament, he behaved nobly and wisely; but delighted to live in the country. He died the 15th of Henry the Eighth.—*Banks's Extinct Peerage*, Vol. II. p. 92.

* This letter, though on a trivial subject, is inserted on account of its energetic style, which coincides so much with that of the more brief and celebrated note to the Secretary of State, on the genuineness of which Mr. Lodge ventured to cast a doubt. The Almshouses were founded at Skipton, by the Countess's mother.

TO MY ASSURED FRIEND, MR. CHARLES FAIRFAX, AT HIS HOUSE AT MENSTON, IN YORKSHIRE, DELIVER THESE.

SIR,

THIS day I received your letter of the 29th of the last month, wherein you tell me that Mr. Waterton hath at length finished the drawings of the landscapes of Skipton Castle and of Bardon Tower, but I have not received either of those landscapes, in which I pray you earnestly to take some care in searching diligently what is become of them, that so I may have them safely delivered to me; which, when it is done, I will send the gentleman, Mr. Waterton, whatsoever you shall think fit, and I pray you, in your next letter, write me word what you think is fit for me to send him. I will do my good-will to your eldest daughter, might I do her any good, or to any of your other children, for I acknowledge myself much obliged to you, which I will study to requite, and so I rest

Your assured true friend,

ANNE PEMBROKE.

Brougham Castle, this 3rd of November, 1646.

Mr. Benjamin Kent came hither to me, and Isabella,* the 26th day of the last month, but brought no money out of Craven to us, as I imagine you know beforehand. When I had only done writing of this letter, so far as this, did I now receive the survey of Skipton and Bardon Tower, for which I pray you give Mr. Waterton

* Lady Isabella Sackville, her daughter by the Earl of Dorset.

what you think fit, and write me word what you have given him, and I will send it you again.

TO THE RIGHT HONOURABLE MY SINGULAR GOOD LORD, THOMAS, LORD FAIRFAX, AT HIS LORDSHIP'S HOUSE AT DENTON, THESE PRESENT.

RIGHT HONOURABLE MY VERY GOOD LORD,

HAD I more time than the messenger's haste will afford me, yet wanted I both matter and words to express my thankfulness for your many favours, of which this is not the least, by your letters to commend me to these noble personages; I shall not fail, be God willing, to deliver your lordship's letter to Mr. Fenton, being happy if in anything I may be serviceable unto your honour. Here at York it is reported Mr. Littleton is Attorney; the Lord Chief Justice and the Master of the Wards both dead.* Great distractions and divisions in Germany amongst the Princes, and the victories of the Imperials by their divisions; but I hope of better

* Neither of the reports that Chief Justice Heath was dead, or that Mr. Littleton was thus promoted, proved quite correct. The Chief Justice was only judicially dead, being discharged from his office because it was known he would not sustain the wishes of the Court by supporting the legality of Ship-money. Sir John Finch was promoted to the vacancy thus caused,—the Attorney General, Sir John Banks, not desiring to give up his office, to which he had been appointed but a few days previously. Mr. Sheldon, "an old, useless, illiterate person," was removed from the Solicitor Generalship, into which the Duke of Buckingham had thrust him, and Sir Edward Littleton succeeded him; —Littleton, the friend of Selden, and the patriotic sustainer of the "Petition of Right." He was lured away from the popular party by the offer of a Welsh Judgeship, a bait which was found too tempting for the virtue beneath more than one wig in Westminster Hall during the 17th century.

things, and that the Lord will still maintain His own cause; and so praying for your lordship's health, with my due and true respect unto your honour, I rest,

Your lordship's devoted servant,

W. SHEFFIELD.*

Poppleton, this 12th of September, 1634.

* The Hon. William Sheffield was fourth son of the Earl of Mulgrave.

CHAPTER VII.

The King procrastinates his visit to Scotland—Sends for Scotch Regalia—Compliance refused—Ominous Message—Resolves to proceed thither—Noblemen attending to be at their own charge—Preluding Proclamation—List of "Gests"—Nobles attending—Laud joins the King—Hospitality on the road—Letters of Sir J. Melton, Sir Arthur Ingram, Lord H. Clifford, Viscount Fauconberg—Various preparations—Ruinous magnificence at Welbeck—Earl of Newcastle to Lord Wentworth—King enters Scotland—Pageants at Edinburgh—Coronation—Laud's interference—Lord Fairfax summoned to Scotch Parliament—Form of appointing proxy—Parliament assembles—Lords of the Articles—Acts passed—Act for regulating Kirk-men's apparel—Charles's conduct in the House—Earl of Rothes disputes the vote—Petition prepared—Lord Balmerino tried for leasing-making—Conduct of Jury—Balmerino pardoned—King leaves Scotland—Letter of W. Sheffield—Legal official changes—News from Germany—Sir Robert Heath—Sir John Finch—Sir John Banks—Sir E. Littleton—Sir E. Herbert—Sir F. Fairfax proposed in marriage—Sir H. Vere—Letters of Sir W. Constable—Negociations with Lady Vere—Letter of Sir F. Fairfax—Lord Houghton—Letters of Sir W. Constable, Lord Fairfax, Sir F. Fairfax—The marriage celebrated—Letter of Sir F. Fairfax—Death of a favourite Servant—Letters of Lady Vere—His son's illness—Letter of Sir F. Fairfax—Illness abating—Lady Vere—Lady Fairfax, her daughter—Letter of Lady Vere—Increasing illness of Sir T. Fairfax—The Prince of Wales—Sir Thomas Fairfax's extravagance.

THE King's purpose of visiting Scotland has been more than once alluded to, but it was not until the May of 1633, that he was enabled to fulfil that intention.

It would be fruitless to trace out the causes of the delay, but it is important to discern the reasons which now impelled Charles to visit the land of his birth. The two countries had not been amalgamated by the union

of the Crowns, but on the contrary the Scotch, always sensitive to any intimation of England's superiority, were now more than ever jealous of any apparent demonstration of preference. They felt the injurious consequences of their countrymen being attracted away to a southern Court, and the Highland blood of all the clans was up, when the long protracted delay suggested that their unseen sovereign cared but little for an opportunity to diminish that estrangement. He had been so ill-advised, as to propose that the Scotch regalia might be removed to London, and that there the coronation ceremony might be performed; but the proud and monitory reply of the Keeper of that regalia, silenced for ever the suggestion. "He dared not betray his trust," he said, "but gladly would the King's native people bestow the Crown upon him in their own land, and if that Crown were not worth a progress, some other way might be found for its disposal." *

The bare suggestion of a possible competitor was enough to urge the King to visit his northern kingdom, but the tongue of calumny, if calumny it was, had gone further, and named the Marquis of Hamilton as the man to whom the crown might be transferred. It is true that Lord Ochiltrie had been condemned to perpetual imprisonment, for asserting that such a proposal was suggested; but, even if that sentence were just, the thought, the dangerous thought, had been promulgated.

This, however, was not the only motive for the King's resolution to set out for Scotland to be crowned in Edinburgh. Laud was his chief and most heeded

* Archdeacon Echard's History, I. 102.

adviser, and Laud had other projects in view. This Thomas à Becket of his century, had for one great object of his political life the aggrandisement of the Church, and the concentration of power in the hands of its clergy.* It was always upon his mind; in every possible mode he made it his end and aim; but it is well for England that his design was thwarted and frustrated, for a Church with political power is always a persecuting Church; and miserably unfortunate was it for Charles that he struggled to give to the Ecclesiastical hierarchy power in opposition to the people of every portion of his dominions. This combination of the Church and Crown against the constitutional liberties of the people—for both sought for additional power independent of all popular control—involved them in one and the same ruin.†

* Clarendon condemns whilst he defends him in these sentences. "Laud did really believe that nothing more contributed to the benefit and advancement of the Church, than the promotion of Churchmen to places of the greatest honour, and offices of the highest trust. This opinion, and the prosecution of it (though his integrity was unquestionable, and his zeal as great for the good and honour of the State as for the advancement and security of the Church) was the unhappy foundation of his own ruin, and of the prejudice towards the Church, the malice against it, and almost the destruction of it."—*History of the Rebellion*, I. 66.

† The objection to Ecclesiastical State-officials, and to political power being added to their other influence, has been wisely and irrefutably raised by some of the best friends of an Established Church. Even Lord Napier of Murchison, one of the most able of Charles's Scottish friends, has left this opinion upon the point:—"That Churchmen have competency is agreeable to the law of God and man. But to invest them into great estates, and principal offices of the State, is neither convenient for the Church, for the King, nor for the State Not for the Church, for the indiscrete zeal and excessive donations of princes were the first causes of the corruption in the Roman Church, the taste whereof did so inflame the avarice and ambition of the successors, that they have raised themselves above all secular and sovereign power, and, to maintain the same, have obtended to the world certain devices of their own for matters of faith. Not to Kings, nor to States, for historians witness what troubles have been

Laud was too violent, too narrow-minded, and, therefore, too obstinate to be warned that the age was past, when the people could be treated as mere serfs of the Church or of the Crown. Opposition made him only the more determined, and the thought of his heart and the energy of his purpose, never appeared more plainly than in his letters to that kindred spirit—Wentworth. In one, written at this time, he says "As for the Church, it is so bound up in the forms of the common law, that it is not possible for me, or for any man, to do that good which he would. And for the State, indeed, my lord, I am for *Thorough*, but I see that both thick and thin stays somebody, where I conceive it should not; and it is impossible for me to go *thorough* alone." *

There can be no mistake as to the meaning of his watch-word "*Thorough*," and he strained every influence not to be "alone" in his effort for the establishment of the great political change he desired. He had in Ireland, Strafford, Archbishop Bramhall, and Dr. Webb, diocesan of Limerick, all exerting themselves to increase the power and patrimony of the Church. In Scotland he had Archbishop Spottiswood made Lord Chancellor, and with the Bishops of Ross, Galloway, Dumblane, and Aberdeen, Privy-councillors, and most esteemed advisers for conducting the affairs of that kingdom. In England he was himself Prime Minister, his tool Windebanke was Secretary of State, and Dr. Juxon

raised to Kings, what tragedies among subjects, in all places where Churchmen were great. Our Reformed churches having reduced religion to the ancient primitive truth and simplicity, ought to beware that corruption enter not in their Church at the same gate, which already is open with store of attendants thereat to welcome it with pomp and ceremony."—*Napier MSS.—Napier's Life of Montrose*, 37.

* Strafford's Letters, I. 111.

he had placed in the office of Lord Treasurer.* The consequences of all these clerical promotions to political offices are told by a clergyman when writing to Lord Wentworth. He says — "The clergy are so high here since the joining of the white sleeves with the white staff, that there is much talk of having as Secretary (of State) a bishop, Dr. Wren, Bishop of Norwich; and as Chancellor of the Exchequer, Dr. Bancroft, Bishop of Oxford. This comes only from the young fry of the clergy, little credit is given to it, but it is observed they swarm mightily about the Court." † And the reason is quite apparent, for Laud aimed not only to place the dignitaries of the Church in the highest offices of the State, but to confer minor employments also upon those connected with ecclesiastical affairs. "I hear," says the same correspondent, "that the Archbishop of Canterbury, for the good of scholars professing the civil law, hath obtained of his Majesty that the Masters of Requests, for the future, shall be all Doctors of the Civil Law; as also, that eight Masters of the Chancery shall be always of that profession." ‡

Laud kept the same intention in view when attending his royal master into Scotland, and this crusade to force Church dignitaries and its rituals upon an unwilling, proud, and hardy people, hastened both King and prelate to their death.

The King and his courtly retinue left London for Edinburgh on the 11th of May, 1633, and in Lord

* When Laud had succeeded in getting Juxon into this high office, he made this gratulatory note in his Diary—"March, 6 (1636). No Churchman had it since Henry the Seventh's time. And now, if the Church will not hold up themselves, under God, I can do no more."

† Strafford's Letters, II. 2. ‡ Ibid., I. 176.

Fairfax's handwriting we have the following memorandum of the stages and number of days of rest at each place during the progress. It is entitled

"THE GEST OF HIS MAJESTY'S PROGRESS INTO SCOTLAND."

May, 1633.	Saturday,	11,	to Theobalds,	2 days
,,	Monday,	13,	to Royston,	1
,,	Tuesday,	14,	to Huntington,	1
,,	Wednesday,	15,	to Applethorp,	2
,,	Friday,	17,	to Burley by Stanford,	1
,,	Saturday,	18,	to Grantham,	2
,,	Monday,	20,	to Newark,	1
,,	Tuesday,	21,	to Worksop,	2
,,	Thursday,	23,	to Doncaster,	1
,,	Friday,	24,	to Pomfret,	1
,,	Saturday,	25,	to York,	4
,,	Wednesday,	29,	to Ripon,	2
,,	Friday,	31,	to Ask,	1
June.	Saturday,	1,	to Durham,	2
,,	Monday,	3,	to Newcastle,	2
,,	Wednesday,	5,	to Bottlecastle,	1
,,	Thursday,	6,	to Alnwick,	1
,,	Friday,	7,	to Gillingham,	1
,,	Saturday,	8,	to Berwick,	4
,,	Wednesday,	12,	to Dunglass,	1
,,	Thursday,	13,	to Seaton,	1
,,	Friday,	14,	to Edinburgh, *during pleasure.*	

The attendance upon his Majesty was very large, despite the warning given with each invitation, that the charge of each nobleman and his retinue must be from his own private exchequer. To mitigate this heavy expense, but without any regard to its being an arbitrary interference with the trader's rights, a proclamation was issued a week previously, in which, after a preamble not at all complimentary "to the intolerable

avarice of bakers, brewers, innholders, butchers, and sellers of victuals," it was ordered that no prices should be paid to them above those determined "by the clerk of the market of the King's household."* Notwithstanding this, and another proclamation for regulating the procurement of lodgings, the expense to each individual was enormous; the whole Progress from the first setting out until its conclusion being "with the greatest magnificence imaginable." "Feasting," says Clarendon, "was then carried to a height it never had attained before, and from whence it hardly declined afterwards, to the great damage and mischief of the nation in their estates and manners. All persons of quality and condition who lived within an available distance of the northern road received the attendant nobility with a becoming hospitality, no expense being spared to make their entertainments splendid and their houses capable of those entertainments." †

This emulation in display required a long previous preparation in the households of a gentry whose country-galas had never before exceeded a christening festival and a rent-audit. The consequent arrangements and appointments are illustrated by the following letters:—

TO THE RIGHT HONOURABLE MY VERY GOOD LORD THE LORD CAMERON, AT HIS HOUSE, AT DENTON, GIVE THESE.

MY VERY NOBLE AND GOOD LORD,

AT the King's now coming to York, I do expect divers of my worthy friends to lie at my house, and the

* Rushworth, II. 177. † Clarendon's History, I. 61.

season of the year falleth out so ill, as I know not how to get any good provision for them. By which means I am driven to make use of my good friends, amongst which presuming of your lordship's love and noble favour towards me, hath made me thus bold to write these few lines unto you. I do entreat your lordship to help me with some herons, of which I hear your lordship hath great store, and if I cannot requite your noble favour herein I shall ever most thankfully acknowledge the same, and shall ever remain your lordship's faithful servant to love and honour you,

ARTHUR INGRAM.

York, this 7th May, 1633.

As your lordship will be pleased to favour me in this my request, I desire I may have them so soon as your lordship with conveniency can do it, for that I would gladly feed them to make them somewhat fat against the time.

TO THE RIGHT HONOURABLE MY VERY GOOD LORD THE LORD CAMERON, AT DENTON, THIS DELIVER.

MY VERY GOOD LORD,

I DID of late write a letter unto your lordship, entreating your friendship to help me to a few of herons, and now upon an unhappy accident that is befallen my second son I make bold to be troublesome to you in another suit; so being here near Leeds at his father-in-law, Mr. Hepton's, who taking a journey towards London, my son was desirous to bring him part of his way, and in his going with him

his horse fell with him, and hath very shrewdly bruised him. Now we have a great desire to have come to York to be near some good counsel for him, and he is neither able to go in a coach nor a horseback. But I hope he could well endure a litter, and knowing that your lordship hath one, maketh me bold to be an humble suitor unto you to lend me yours, which I shall take as a special favour; the which if I cannot requite I shall with all thankfulness acknowledge the same, and so I rest your lordship's faithful servant to command,

ARTHUR INGRAM.

I must entreat your lordship for your man and horses.

LORD FAUCONBERG TO LORD FAIRFAX.

MY LORD,

I SHOULD not have forgot my respects, either in seeing or sending, but that Sir Ferdinand promised to make my apology; and now I desire to be excused for waiting upon you till I have first waited upon the King. I pray you let me know when and where you purpose to meet him, that I may accordingly set my occasions for us both to go together. So hoping to know your resolution by this bearer, I take leave this 7th of May, 1633.

Your nephew, ready to serve your lordship,

FAUCONBERG.

TO THE RIGHT HONOURABLE MY MUCH HONOURED LORD, THE LORD FAIRFAX, AT DENTON.

My much honoured Lord,

Since I saw your lordship, I have not received a letter from London, so as I cannot write you any news, foreign or domestic.

I pray your lordship be pleased to send your black horse to your own house at York, by your own groom, to-morrow se'nnight, that my saddle may be fitted for him there in time; and I beseech your lordship likewise, to lend me your house and stable at York, to lodge in while the King stays there, and if there wants furniture for two chambers (for myself and my Lord Wharton), we will provide it, and also lay in provision into your stable. Good, my lord, return me your pleasure by this bearer, because the time comes on apace, and if your lordship cannot with convenience afford me this favour, I may provide me as well as I may otherwise. I pray your lordship, make known to Mr. Fairfax that I desire his man Mason may bring my mare to York, which he hath now at Denton. And thus, with my humble service to your good lordship, I rest, in haste,

My lord, your lordship's most faithful servant,

H. Clifford.

Londesborough, this 13th May.

TO THE RIGHT HONOURABLE THE LORD FAIRFAX, MY VERY GOOD LORD, PRESENT THESE.

My noble Lord,

If I have of late been wanting in good manners towards your lordship, I beseech you impute it

unto the occasions which have necessitated my long absence from hence, and not unto my will. Mr. Vanpamis, who lived in my Lady Belfasis' house, is now, with much ado, removed thence, and by the end of this week I hope to be settled there with my family. So that if your lordship be pleased any time the next week, to appoint any one of your lordship's servants to receive such things as were left here, I hope I shall leave both them and the house not much impaired; but whithersoever I go, the obligations which I have unto your lordship for your noble favour, must go with me; and in the acknowledgment thereof I shall be ever ready to serve your lordship in anything I may. That noble Earl, whose father loved your lordship very well, will lodge at my house while his Majesty is here at York; and if your lordship and Sir Ferdinando Fairfax do then come unto this town, I hope you will be pleased to see him, and the rather for that his lordship will be lodged in a house where the poor tenant of it will bid you very welcome.

For the present I will trouble your lordship no further, but take my leave, and rest

Your lordship's most humble servant,

JOHN MELTON.*

York, this 29th April, 1633.

The "Protestant nunnery" at Giddon, in Northamptonshire, was too much in unison with one of Laud's

* Sir John Melton had succeeded to the Secretaryship of the Northern Court, and several of his letters are among the Fairfax MSS., requesting permission to rent from Lord Fairfax his house at York, until one purchased by Sir John was ready for his reception. Lord Fairfax lent him the house gratuitously, and there are more passages than one in the letters demonstrating that his lordship was no loser by the courtesy.

objects, the extirpation of Puritanism, for him not to induce the King to diverge a little to visit this approach to Popery without the abandonment of Protestantism. The octogenarian foundress, Mrs. Farrar, was a widow, who, as she said, "had bid adieu to all the fears and hopes of this life, and only desired to love God." This she endeavoured to evince by admitting into her house ladies who would adopt her rules of frequent prayer, restricted diet, and repeated genuflexions before her altar, with its "crucifix and candles of white and green wax." There were these rules, however, which withdrew the Institution from the laborious idleness, and doomed withering seclusion, of monasticism: the ladies were encouraged to adopt some occupation beneficial to their fellow-creatures, and if desirous of marriage, enjoyed perfect "liberty to depart."*

To repeat descriptions of all the festivities which greeted the King during his Progress would be wearying as well as useless. We have noticed some of these doings at Sir H. Slingsby's; and we have a few other particulars of a portion of the Progress still further north, in the following memorandum from the Mickleton MSS.

"About the 13th of May, 1633, he (the King) came to York, where he staid four nights. Richard Neale, then archbishop, who was of the King's council, entertained his Majesty at dinner at Bishopthorpe; where he knighted his son, Sir Paul Neale, and Mr. Allenson, then Lord Mayor of York, and William Bell, the Recorder, also. In his way to Durham, he was entertained at Raby Castle by Sir Henry Vane, and from

* Rushworth, II. 178.

thence came, on Friday the last of May, to Auckland Castle, where he was entertained by Bishop Morton. The next day, Saturday, 1st. of June, he came to Durham, where a way was made through at Elvet Head, that he might ride through into the city; and there he mounted his horse, and was met by Sir William Belasyse, high sheriff, and the gentlemen of the country, who gave all the sheriff's livery, two hundred men; viz., ash-coloured cloth lined with red baize and plush capes, four fingers broad, and two broad silver laces. As soon as his Majesty alighted, he went first to the Abbey Church, before he went to the Castle; a canopy of state was borne over him by eight prebendaries into the church, where he staid service; and a speech was made to him by Dean Hunt. Then his Majesty went to the Castle; and on Sunday morning heard a sermon at the Abbey from the bishop, where none were admitted but his nobles, the clergy and choir. After service, he dined at the Deanery at the bishop's charge; where his Majesty had a cope that cost 140*l.*, belonging to the church, presented to him. Then he attended evening prayer, and after went to the Castle, where he kept his Court during all the time he was at Durham, and did touch divers for the King's Evil. Dr. Cosins, one of the prebendaries, was sworn one of the King's chaplains: and on Monday morning his Majesty went to Newcastle, &c. The nobles attending the King, were the Duke of Lennox, the Earls of Newcastle and Suffolk, Cumberland, Pembroke, Northumberland; Lord Treasurer Weston, Lord Wharton, Lord Grey of Chillingham, the Earls of Salisbury, Cleveland, Southampton, Northampton, and Holland; Dr. Laud, Bishop of London; Dr. White,

Bishop of Ely; the Scotch Marquis Hamilton, and Lord Bothwell."*

At Raby Castle, the seat of Sir H. Vane, and elsewhere, the welcomings were of no mean cost, but the greatest magnificence was displayed at Welbeck, by the Earl of Newcastle. "There," says Clarendon, "both King and Court were received in such a wonderful manner, and in such an excess of feasting, as had scarce ever before been known in England, and would be still thought very prodigious, if the same noble person had not, within a year or two afterwards, made the King and Queen a more stupendous entertainment; which (God be thanked), though possibly it might too much whet the appetite of others to excess, no man ever after in those days imitated."† It was ruinous to the accomplished and munificent Earl, for we have this confession from him to Lord Wentworth, in a letter dated in the August of the same year: "I have waited of the King during the Scottish journey, both diligently, and, as Sir Robert Swift said of my Lord Carlisle, it was no small charge unto me. I cannot find by the King, but he seemed to be pleased with me very well, and never used me better or more graciously; the truth is, I have hurt my estate much with the hopes of it, and I have been put in hope long, and so long as I will labour no more in it, but let nature work and expect the issue at Welbeck, for I would

* Gentleman's Magazine, LXXXI. 99.

† Clarendon's History, I. 61. The expense of these entertainments, which Clarendon, as a Court favourite, naturally viewed with so much interested dislike, was certainly enormous. That at Welbeck cost between 4000*l.* and 5000*l.*, and that "a year or two" later, at Bolsover, induced an expenditure of 15,000*l.*

be loth to be sick in mind, body, and purse. Children come on apace, my Lord, and with this weight of debt that lies upon me, I know no diet better than a strict diet in the country, which, in time, may recover me of the prodigal disease."

On the 12th of June the King crossed the Border; and here the English officials resigned their duties to be performed by other noblemen who held the same appointments in the Court of Scotland. These officers of state, emulous of those to whom they succeeded, endeavoured to equal them, not only in the zealous performance of their duties, but also in the splendour of their appointments and pageants.

Nearly all the peers of Scotland were assembled near Berwick to receive Charles upon his entrance into Scotland, and with them were the Border gentry, including those of Teviotdale and the Lothians. Most distinguishable among these were the clansmen of the Earls of Howe, "six hundred of the Merse, or Berwickshire gentlemen, in green satin doublets and white taffeta scarfs." *

On the 15th of June the King entered Edinburgh, with the usual formalities, and much more than the usual display of pageants—displays of all the kings of Scotland who ever reigned, even in fabulous history; —displays of the Muses, and delivery of versifications, which those who delight in such fulsome nonsense will find, "all printed amongst the poems of Mr. William Drummond, of Hawthornden."†

* Rushworth, II. 180.

† The pageants did not cost the city of Edinburgh less than 3500*l.*—*Reg. of Town Council*, XIV. 329; *Arnot's History of Edinburgh*, 103.

On the 18th the Coronation was performed, a ceremony rendered not so agreeable as it might have been to the people, by being arranged and ordered by Laud. Scotland had her heralds and her Lord Chamberlain, but the officious prelate superseded them. He has left recorded in his Diary: "June 18, King Charles crowned at Holyrood Church, in Edinburgh.—I never saw more expressions of joy than were after it." But during its celebration, the following circumstances, among others, could not have conduced much to amicable feeling. So determined was the hatred towards Episcopacy, that some of the bishops performed the duties of their office without wearing the obnoxious surplice. Of this number was Dr. Lindsay, Bishop of Glasgow. He appeared without his embroidered canonicals at the Coronation, and being about to occupy his allotted place, Laud thrust him away, with the taunt—"Are you a churchman, and want the coat of your order!" *

To the Parliament, which was summoned to assemble immediately after the Coronation, Lord Fairfax, as Baron Cameron, was summoned to attend.†

* Rushworth, II. 182.

† It does not appear that he even confided his proxy to any one, for the following form of such appointment is among the Fairfax papers, but without any proxy's name filled in:—

"Omnibus ad quos fidelibus hoc presens scriptum pervenerit: Thomas Dominus Fairfax de Cameron, salutem. Noveritis me, prefatum dominum, Thomam Fairfax, per licentiam Serenissimi Domini Nostri Regis, à presenti hoc suo Parliamento tenendum apud Edenburgum, in regno Scotiæ . . . . . die mensis Junii prox futuro sufficienter excusatum abesse,—nominare, ordinare et constituere, dilectum mihi inexpresso prænobilem et honoratum virum . . . . . meum verum, certum, et indubitatum factorem, actorem, attornatum, seu procuratorem, per presentes. Eidemque procuratori meo, dare et concedere plenum auctoritatem et potestatem, pro me et nomine meo, de et super quibuscunque

On the 20th of June the Parliament assembled, and after a sermon from Archbishop Spottiswood, and a speech from the King, its members proceeded to choose from among themselves that peculiar body or committee named, "the Lords and Members of the Articles." This committee was composed of eight ecclesiastics, eight of the superior nobility, eight barons, and eight burgesses; the noblemen electing the clergy, and the clergy electing the noblemen; the clergy and nobility thus elected then electing the barons; and the clergy, nobility, and barons thus elected, electing the burgesses. The thirty-two members thus chosen, joined with the State-officials, prepared such Acts of Parliament, as, in their judgment, appeared to be requisite, and these were rarely objected to by the aggregate body of the Parliament.*

On the present occasion they submitted for approval, on the 28th of June, thirty-one public Acts, and, with but two exceptions, these were added, without opposition to the Statute Book. The Scotch had not yet been schooled into the adoption of those tactics, so calculated

causis et negotiis in dicto Parliamento, exponendum seu declarandum, tractandi tractatibusque hujusmodi inibi factis seu faciendis, consilium nomine meo impendendum. Statutisque etiam et ordinationibus quem ex maturo et deliberato judicio dominorum, tam spiritualium quam temporalium, in eodem Parliamento congregatorum, inactari seu ordinari contigerint, nomine meo consentiendum, eisque (si opus fuerit) subscribendum. Cæteraque omnia et singulaque in premissis necessaria fuerint, seu quomodolibet requisita, faciendum et exequendum in tam amplis modo et formâ prout ego ipse facere possem aut deberem, si presens personaliter interessem. Ratum et gratum habens et habiturus totum et quicquid dictus procurator meus statuerit aut fecerit in premissis. In cujus rei testimonium presentibus subscripsi sigillumque meum opposui. Datum XXVII. die mensis Maii, anno regni domini nostri, Caroli, Dei gratiâ, Angliæ, Scotiæ, Franciæ et Hiberniæ, Regis, Fidei Defensoris, &c., nono: Annoque Domini, 1633."

* Rushworth, II. 182.

to ensure power, which the popular party in the English legislature had brought into operation. The very first Act passed by the Scotch Parliament, granted a liberal supply to the King for six years : the English Parliament would have postponed its adoption until others had been modelled more in accordance with their wishes, and would have given but for one year.

The first of the two proposed Acts which met with opposition, had been artfully prepared, so as to include an acknowledgment of the royal prerogative as enjoyed by Charles's predecessor, and recognising his authority to regulate "the apparel of judges and kirkmen." Lords Rothes, Loudon, Balmerino, and many others, wished this Act to be divided into two Acts, for they were willing to assent to its first clause, whilst they were opposed to the royal interference with the vestments of the clergy. This was not a factious proceeding, but was at once rising, backed as they were by all Scotland, to protest against what they knew to be another step towards forcing upon them an episcopal form of worship, in accordance with that of England.

The noblemen who objected to this clause would not leave the subject to doubt, and, therefore, inquired of the King, whether the introduction of the surplice was not covertly purposed under that clause, and Charles dared not assert a negative in reply.

It was now that the King gave a demonstration, even more flagrant than he had done in England, of the coercion he desired to exercise over the members of a legislature. Drawing from his pocket a list of the members, and occupying the throne to watch their demeanour and their votes, he said, with a significance

not to be mistaken:—"Gentlemen, I have all your names here, and I'll know this day who will do me service and who will not."

Still the friends of the Presbyteries adhered to their declaration, that whilst they were willing to grant his prerogative, they objected to the clause about the regulation of Church-vestures; but they were compelled to give it an entire negative, by "the King announcing he would have no distinction, and that he commanded them to say, 'Aye,' or 'No.'"* Thirteen peers and nearly all the Commons voted against this measure, which they considered "contrary to the liberties of the Church." So the Act was really rejected by the majority, and of this the King was conscious, for with his own pen he had marked how every member voted; yet the Clerk of Register, who gathered and declared the members, said it was carried in the affirmative. This was denied by the Earl of Rothes, but Charles said the clerk's declaration must be held good, unless the Earl would move to the bar and accuse him of falsifying the record. This was not to be expected, for the punishment was death, and if the accuser failed in his proof, the punishment rebounded upon himself. If the King had not feared a confirmation of the truth, he would have directed the votes to have been again taken.

The rejected Act was published as one of the future laws of Scotland, and no other course was left to the objectors, but to petition the King against its operation. Haig, the King's solicitor, drew up a petition, detailing the grievances, and asking for redress, but it was

* Rushworth, II. 183; Burnet's History of his Own Times, *Introduction;* Balmerino's Trial, *State Trials*, III. 598.

approved by none of the noblemen to whom it was shown, and finally was abandoned.

A copy of this petition, with interlineations and corrections in his own handwriting, was preserved by Lord Balmerino, and became in the year following an instrument of the greatest tyranny. Thinking it might be altered sufficiently, so as to express their complaints without offending the King, he placed it in the hands of one, Dunmuir, an attorney in whose ability and discretion he trusted; but Dunmuir showed it to a traitor, Hay of Naughton, who exhibited it to Archbishop Spottiswood. The archbishop immediately communicated it to the English Privy Council, and on it was founded a prosecution nearly concluding in the execution of Balmerino. The law of Scotland made "leasing-making," or exciting dissensions between the sovereign and his people, a capital offence; but, more than this, whoever listened approvingly, neither revealing the sedition nor endeavouring to secure its author, was by the same law adjudged worthy of an equal punishment. Under this last clause the government sought to bring Balmerino to the scaffold.

The petition did no more than remonstrate against the unfair and over-awing procedure of the King in the Parliament, and declared in terms firm, yet respectful, though with unpalatable truthfulness, that there was "a general fear of some innovation intended in essential points of religion;" all which, according to the verbiage of the Scotch indictment, was in derogation of "the person of the supreme and sovereign prince (who) is and ought to be sacred and inviolable, and ought to be reverenced, honoured, and feared, as God's lieutenant on earth."

We shall not follow the trial through its details; we shall not pause to argue that a petition thus prepared, and thus kept in the possession of one of the petitioners, was neither leasing-making, nor a concealment of it, even if the clauses had been seditious, instead of complaints against oppression. But we will devote a sentence to record the iniquity perpetrated in packing the jury of Peers who were to try the Earl. Nine of them were challenged, and were known to be either Balmerino's enemies, or to have declared beforehand their adverse verdict, yet the Crown insisted upon their being retained, and they themselves had not the grace to withdraw voluntarily. Above all, the Earl of Traquair, who avowedly, as the King's representative, had undertaken to corrupt or intimidate the jury, was foreman of those to whom Balmerino's fate was entrusted. Fifteen noblemen and gentlemen composed the jury, or "persons of assize," and by Scotch law the opinion of the majority is their verdict. One of them was John Gordon, of Bushie, an old man who nearly half a century before had been concerned in the murder of the Earl of Murray. He was relied upon as certain to vote for a condemnation, but he disappointed that expectation, by being the first to break silence after the jury had retired to consider their verdict, and to warn them not to be unduly influenced in this, "a matter of blood;" for if they did, "the still small voice would be heard," and "the down-weighing of heart and spirit" would be felt by them whilst life endured. In his youth he had been a shedder of blood, and, added this ancient clansman, as tears trickled over his hardy cheek, "though I have the King's pardon, it cost more to obtain forgiveness from God." "This struck a damp" upon the whole jury;

and though the Earl of Traquair laboured hard to remove the impression, it was only his own vote that carried a verdict of "proven" or guilty. Seven of the jurors voted for an acquittal.

All Scotland rang with deprecations of the verdict, and the Earl of Traquair, hastening to London, told the King that though Balmerino's life was in his hands, yet to allow his execution was not advisable. So he was pardoned; but this could be no compensation; no wiping away of the remembrance of the suffering and wrong inflicted by the prosecution. Scotland certainly never forgave it. Balmerino was one of the most honoured leaders of the Presbyterian party, and they never could be deceived by any artifices from the firm belief that his life was aimed at in order to work out their depression and to establish in the place of their Presbytery an episcopal form of Church government. "My father," says Bishop Burnet, "knew the whole steps of this matter, having been the Earl of Lauderdale's most particular friend. He often told me, that the ruin of the King's affairs in Scotland was in a great measure owing to that prosecution, and he carefully preserved the petition itself and the relative papers."*

Such a flagrant instance of oppression and injustice is acknowledged by all contemporaries to have exasperated those who were already ripe for the Covenant, and prepared to suffer for "the good cause." But there were many other wounds inflicted on the national pride, and national prejudices, to say nothing of great private interests, which urged the people to stand forth in

* Burnet's History of his Own Times, *Introduction*. The Earl of Lauderdale was one of the jury.—*Laing's History of Scotland*, III. 107, &c.

defence of what was loved and cherished by them, as though it were part and parcel of Christianity. For the sake of our liberties and freedom of conscience, it is well that Scotland thus rose stern and resolved, for though no man of sober mind would now think he was summoned forth to the battle of Armageddon, if required to massacre thousands rather than that a Bishop should supersede a Presbyter, or a white vest be worn in preference to a black coat; yet questions and consequences of far deeper importance were then involved, than whether the mitre and surplice should be adopted. Charles and Laud had made them inseparable in men's minds from efforts of despotism, defiance of the laws, and cruel oppression.

The King left Scotland on the 16th of July, and with no great desire to linger there longer, if we may judge from the rapidity of his journey homeward: "July 20, the King came from Scotland to Greenwich, having come post from Berwick in four days:"* a speed of travelling readily explained by a knowledge that he was hastening to a home circle which he loved, and where he was happy, and was escaping from a country in which every day gave birth to scenes of exasperated remonstrance, and threatenings of more serious strife. We turn to the consideration of some of the public and private occurrences in England.

* Laud's Diary.

TO THE RIGHT HONOURABLE MY SINGULAR GOOD LORD, THOMAS, LORD FAIRFAX, AT HIS LORDSHIP'S HOUSE, AT DENTON, THESE PRESENT.

RIGHT HONOURABLE MY VERY GOOD LORD,

I HAVE received your lordship's noble letter, whereby I perceive your honour is pleased, to disappoint yourself, to furnish me this winter with your house at York, which is a favour of that transcendant nature as I can no way deserve it. I doubt not but your honour hath heard of the sudden displacing of my Lord Chief Justice Heath, for misdemeanours he did while he was Attorney General. Sir John Finch hath a grant from the King to be Lord Chief Justice of the Common Pleas in his room. Sir John Banks is Attorney General; Mr. Littleton, Solicitor; Mr. Herbert, the Queen's Attorney; Mr. Luywe, Recorder. The evil news out of Germany was, as I hear, thus related to the King: That the King of Hungary came to besiege a town they call Norlingen, where Duke Bernard of Saxe Weimar and Gustavus Horn did lie with as great an army, if not greater, than the King had, with whom they joined battle, and skirmished two days, in which time came up to aid the King of Hungary, the King of Spain's brother, with an army of choice soldiers, which he had newly brought out of Italy, which fell so powerfully upon the Swedes as put them to flight, killed fifteen thousand, and did take Gustavus Horn and divers other commanders, and Duke Bernard's standard; but he escaped. Since which time the Swedes have craved aid of the King of France, and have put

into his hands four cautionary towns which they have in Germany, and now the King is entered really into the action of the Swedes' party. We hear Monsieur, the King of France's brother, is escaped from Brussels, after he had spent the King of Spain half a million of ducats, and is reconciled to his brother. Thus your honour has part of the news we hear; and so, with my due and true respect to your lordship, desiring to be remembered to my cousin Fairfax and my cousin Eleanor, I rest,

Your lordship's devoted servant,

W. SHEFFIELD.

London, this 10th October, 1634.

The cause of Sir Robert Heath's removal is not now known; but there is some reason for believing that he agreed to descend from the judgment-seat merely to make room for one who had served the King even more unscrupulously. At all events, the King gave Sir Robert special leave to practise as a Serjeant in the Courts of Westminster; and, in 1643, promoted him to be Chief Justice of the Court of King's Bench.*

Sir John Finch, his successor as Chief in the Common Pleas, was a thorough-going royalist. As Speaker of the House of Commons, we have seen he declined putting the vote in the Parliament just preceding his promotion to the Bench, because he had been commanded otherwise by Charles. Sir John Finch's elevation did not terminate at the Bench of the Common Pleas; for he was raised to be Keeper of the Great Seal, and created

* Parl. Hist. XIII. 257.

Baron Fordwich. When the Parliament became the ruling power he fled into Holland.

Sir John Banks succeeded to the Attorney Generalship on the death of Sir William Noy, and, like him, was a renegade from the popular party. Finally, he became Chief Justice of the Common Pleas; and is more memorable for his wife's heroic defence of Corfe Castle than for his own acquirements.

Sir Edward Littleton was another proselyte from the opponents of the Court party. He was suddenly converted by being made, in quick succession, Solicitor General, Chief Justice of the Common Pleas, and eventually Lord Keeper. He even served his royal master in the field; for at the time of his death, in 1645, he was Colonel of a regiment of foot.

The fourth convert, by the sunshine of the Court, was Mr., subsequently Sir Edward Herbert, who even after being one of the managers of the Commons' "Cause of Causes" against the Duke of Buckingham, was now lured away to be the Queen's Attorney, and became, within a few years, Attorney General.

It has been noticed already that Sir Thomas Fairfax's service, under Lord Vere, led to a more intimate union with that nobleman's family. Lord Vere died in the May of the year 1635, and the negociation—a bargain and sale in the strictest legal sense of the words—soon after commenced, for a marriage between Sir Thomas Fairfax and Anne, daughter of the widowed Lady Vere.*

The following letter relates to this union:—

* Horatio Vere was created Baron of Tilbury, in 1625, and well deserved the honour, for his high moral worth as well as for his military skill. His

TO SIR FERDINANDO FAIRFAX.

SIR,

I RECEIVED your letter about three weeks since, and would gladly, before this time, have given you some account of the business, if besides my own being unsettled and more full-handed than I have activeness for, there had not also been so much in your instructions as could not admit a sudden dispatch. For the first point, I cannot perceive that Mr. White hath any such interest in those persons that I could know much by him; but I used Dr. Gouge who (without naming any person as occasioning the question) asked the lady (Vere) herself what portions are intended to her two daughters who are yet unmarried. Her answer is that she intends to each of them 3000*l.* or 4000*l.*, according as she shall like of the party; and that there is no haste on her part of having them bestowed, since the longer they stay, the better she shall be able to do for them, my lord having left her indebted. Yet she hopes, by means of some moneys due to her from the King, to better her daughters' portions, in some reasonable time.

The second thing which I desired to do was, that my wife or myself, or both of us, might have had a sight of these two young gentlewomen; but my lady having been out of town, and daily expected, is not yet come,

greatest achievement was in saving four hundred men, under his command, from being destroyed by the Marquis Spinola, when, as the latter expressed it, "they were between my fingers." He had, as pupils in the military art, not only Sir Thomas Fairfax, but Edward, Lord Conway, and Monk, Duke of Albemarle. He left five daughters and co-heiresses.

except it be this very night. I should yet have adventured one step further if this last had been done: to have offered some discourse to my Lord Houghton, which, if it had not taken well, I should wholly have taken upon myself, that no other disadvantage could come by it. But in the meantime, my nephew Widdrington and my wife have laid so much to my charge (the seeming retarding of this service) that though I could not this day inquire out a fit messenger, hearing now at night of one, though late and weary, with some disadvantage to myself, I choose rather to give you this in part than to defer till I could give you a more perfect account, which I shall seek to do with as much speed as the business and the slow agent can conveniently afford. Thus, Sir, for this time, without further ceremony, good night.

Yours,

WM. CONSTABLE.

My wife, your son and daughter, and myself, would all be shut up in this short salute.

Sheers' Court without Aldersgate, Nov. 14, 1635.

TO MY HONOURABLE GOOD BROTHER SIR FERDINANDO FAIRFAX, KNIGHT, AT KNARESBOROUGH, PRESENT THIS.

SIR,

I KNOW not well where to begin to sum up to you an account of the successes of your twofold treaty. What I had not time to write before, my wife hath informed you of as well as she could, by which you may judge in what terms the business now stands on

all parts. Mrs. Barrow was lately with my wife, and was pleased to ask my opinion whether the countess not writing an answer to my lord's last letter, would not be taken for a neglect. My answer was, that I was not skilled in those civilities between great persons, but I presumed there would need no more than what had been signified to him already; namely, that the countess could not enlarge her offer according to his demand, but that she took well the good intention that had been expressed, and hoped my lord did the like from her; this I took the boldness to say, foreseeing that no good was like to come of more replies, but that it was left at the fairest. Mrs. Barrow seemed to think that her lady might be wound up to some few hundreds above 4000*l.*, if the conditions for present maintenance might be made more suitable; but that she said, her lady had much stumbled at, as it had been proposed. She told me further that she had lately been with her sister Clarke, where they imparted each to other, the several motions that had been on foot (though with all due respect, not to put any blemish upon either of the businesses), and that she thought my lady Vere had some notice of the other offer. Since this, I made a journey hither to London, one chief end of my journey being in hope to have met with Dr. Wright, by whom my lady Vere had formerly treated with me, and expressed more of her mind than I could then have from herself, and I the rather desired now to have spoken with him, for that Mr. Felton at his last being at Missenden, not finding me at home, had much pressed some satisfactory answer to be given to my lady to stay her thoughts, because other motions were

daily tendered to her; and thereupon I had written to my lady, though my head was at that time much taken up with my own private business; W. Bradford staying at that time with me for a dispatch from me. And because I would have no varying, or receding from what had been propounded, I referred myself to that which had been formerly named betwixt Dr. Wright and me, as I think you might see by a rude copy of my letter, sent you from my wife. I, therefore, thought it needful to know how Dr. Wright did remember those passages, but not finding him now in town, I went yesterday to Hackney to see Mrs. Clarke, who told me that her lady's affection continueth very good to proceed in this treaty, and that she had not said nor did intend to speak any thing to her of that which she had heard concerning my lady of Devonshire, which also she conceived could have given no offence, the motion proceeding from the countess. By her I understood that Sir Roger Townsend* (at whose house in Norfolk my lady Vere now is), died the last week, my letter to my lady coming to her in the midst of that distraction some few days before his death. My lady presently sent Mr. Felton to the Court about the wardship; hoping to get some debts of hers due from the King to be allowed in that composition. This morning early, Mr. Felton in his way to Hampton Court came by my lodging, being the first meeting that I had with him. He tells me that Dr. Wright speaks of 4000*l.* to have been named as the lowest sum that would be

* Sir Roger Townsend, of Rainham, in Norfolk, had married Mary, another daughter of Lady Vere's. The young widow took, for her second husband, Fane, Earl of Westmoreland.

accepted, though I verily thought the demand had been held up higher, however some letters from you about that time gave liberty to treat upon such a sum. He saith he conceives my lady will not exceed that sum for portion, except it be by way of giving part of the portion in land and part in money, in which way he thinks my lady will be more apt to enlarge her offer than by speedy raising of any great sum, of which kind of payment she hath a very lively sense, though in a proportion she may well enough deal either way. He asked me what I thought would be offered for jointure and present maintenance; I told him for the latter, that my lord desiring to have them live with him, he would think to part with the less for the present, which Mr. Felton seemed to think reasonable, but hopes of a competency for the other demand about jointure. I told him it would depend upon the sum and manner of payment of the portion, of all which if my lady's thoughts were first known, you would be the better able to frame your offer. So he tells me my lady purposeth shortly to be here, if the increase of the plague here do not hinder her; howsoever, as soon as these present distractions of hers give leave, she will send to me, and I shall accordingly advertise you. Thus abridging all the ceremony which should end my letter, according to my paper, I must here abruptly end this confused story, and return this day to Missenden.

Yours,

WM. CONSTABLE.

London, Jan. 6th, 1635. (N.S. 1636.)

The treaty proceeded tardily, and yet the reader

would be much mistaken if he thought the parties, who were, according to our modern notions, most concerned in such matters, were at all impatient at the delay. If contemporary writers and painters tell the truth, no very striking charms were bestowed either by nature or education upon the young lady, to render the destined bridegroom impatient for their possession. Indeed, the following letter to his father shows that he had no very violent desire for the match, and a model of filial obedience would he be considered now-a-days, who, when speaking of his love-suit, should thus express himself:—

TO THE HONOURABLE MY VERY GOOD FATHER, FERDINANDO FAIRFAX, KNIGHT, KNARESBOROUGH, THIS PRESENT.

SIR,

SINCE my coming to London I have studied to do my best in effecting the business I came up about; but whether my lady Vere disliked me, the conditions, or us both, I cannot tell; but she put me off with an unwillingness to marry her daughter in a time of such perplexity as she pretends to be in. The money the King owes her is hard to get, and she is loth to impoverish herself by parting with anything that she hath now; whether I should proceed farther in this business or no, I refer it to you. I waited on my lord Mulgrave once or twice; he was desirous to know my business here; I told him all that my lord had given me in charge, he approved well of it, yet his wishes for my good were more hearty than his assistance powerful to direct me to that end. They are all well in that house. The report that Mr. James Chaloner was married is

not so, for he was never more earnest in that suit than now, for the other day he had almost got my cousin's portion out of my lord Molesworth's hands, had he stood to his word. Sir, I paid to my brother Widdrington 25*l.*; he will give you account of it himself. The other 25*l.* I paid to the tailor, and here is his acquittance for it; but the odd money I could not get him to abate it. Sir, I humbly desire your blessing, so I rest

Your obedient son,

THO. FAIRFAX.

February 6.

I lie at the Three Black Birds, in Fleet-street.

TO HIS HONOURABLE FRIEND SIR FERDINANDO FAIRFAX, KNIGHT, AT KNARESBOROUGH, PRESENT THIS.

SIR,

I DESIRED to have some ground what to make of your son's business before I should write any further to you. It seems that he, in a desire to bring it to a short point for your better satisfaction, met with an answer which, perhaps, he apprehends more absolute and positive than was intended. I, for my own part, did fully approve his carriage of it, giving a fair respect, where he had only a civil entertainment with gravity and reservedness.

I suppose he hath prevented me in writing to you that he conceiveth the business to be at an end; but this very day there was one with me to inquire further of the young gentleman, by whom I came to understand divers things more than I did before. He told me that my lady had required him to make this inquiry, and did

not conceive that in the last passage betwixt her and my nephew any denial was intended. He thinks it true that she cannot well give any present money, the means of raising it being in land. I do, for my part, believe his relation that she hath 1000*l.* yearly in one lordship, which she hath to sell. I perceive, likewise, that my Lord Houghton is not so gracious with his mother-in-law as I took him to be, and that he is thought not very forward to put them upon any portions or payments but to his own advantage, which somewhat agrees with this, that my lady hath not received from him so much as any touch of this business.* I shall, within a day or two, wait upon my lady, and then I doubt not to find her less reserved than her grave way of treating afforded at the first, being so slowly pressed on my part.

Sir, I am forced to take the opportunity of this post, which is now upon going; pardon the haste, and present my service I pray you to my lord, to whom I must shortly write my excuse for my seldom writing.

Yours ever,

WM. CONSTABLE.

Aldersgate-street, Feb. 9th, 1635. (N.S. 1636.)

TO MY LOVING SON FERDINANDO FAIRFAX, KNIGHT.

I AM so acquainted with delays, as I am very impatient of them. We are free in our offers, and I hope

* John Holles, Lord Houghton, and, upon the death of his father, Earl of Clare, married Elizabeth, the eldest daughter of Lady Horatio Vere. Lord Clarendon presents us with his character in a very few words—"He was a man of honour and courage, and would have been an excellent person, if his heart had not been too much set upon the keeping and improving his estate." He survived the Restoration, not dying until 1665.

my lady will consider it; if not, she hath her monies, and we our wares. But dispatch it as you can, and with what speed, for the charge is too great for uncertainties, and in that case, as I cannot much hope to see your return, and then there will be none to bury me but to your loss.

Your son hath forgotten to write unto me, but he remembereth his old wont—not to write.

I am very sick and faint, and can trouble myself no more. What I omit to my near friends, remember you.

Your very loving father,

T. FAIRFAX.

Denton, 12th of May, 1637.

The pecuniary part of the negociation was at length brought to a conclusion to the satisfaction of the desires of all parties, and early in June 1637, the marriage appears to have been solemnised; for among the MSS. is a rough draft of the settlements made upon the occasion, bearing date May 31st, 1637, settling nearly all the Fairfax estates in Yorkshire upon the bridegroom and the issue of the marriage in strict tail-male; and the following letter from his grandfather was evidently written immediately after the nuptials.

TO MY LOVING SON, FERDINANDO FAIRFAX, KNIGHT, AT THE WHITE LION IN COVENT GARDEN, THESE.

FERDINANDO,

THE post's haste doth shorten me, for you know the messenger's coming and returning the same day doth not admit me time to be large, but yet I have

something in answer of your last letters of the 13th of June.

My lady's desire for the stay of my son and my daughter some time there, as all other her pleasures, shall be commands to me, but my earnest request to her ladyship is, that she would be pleased to let them come home now, because I conceive it to be the best opportunity, the horses being all ready gone for them, and my occasions both of using Lawson and Mawson, are such as you know. Remember my service to my lady, and signify the same to her. My desire is exceeding great to see my daughter, myself being both sick and weak: there is nothing in this world can give me more contentment.

I would have Tom put into the commission of peace, because you know I am not able to do anything, and I would have my name left out. Your presence here about these occasions is much required, because of your pains in these businesses. I know not what more to say, but I have written to my Lord Chamberlain, who, I hope, will effect that which is required. If you can conveniently, I would have you bestow a visit on Sir John Ogle and his lady, and remember my service to them. Thus, praying God to bless you and yours, I commit you to his merciful protection.

Your very loving father,

T. FAIRFAX.

Denton, June 16th, 1637.

I would be very glad to see honest Peter Lenon.

The next letters are from the bridegroom and his father to Lord Fairfax.

TO THE RIGHT HONOURABLE MY VERY GOOD GRANDFATHER, THE LORD FAIRFAX, THIS PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

I DID not forget to write by the two last posts, though my letters were unfortunately forgotten to be sent in time, I being forth of town; but now I must alter both the matter and the phrase. They were to inform your lordship what should be, and this to give you humble thanks for what hath been, that is your free bounty in all these proceedings. But if more have been disbursed than your lordship did intend, I beseech you to excuse it with the same freeness you did the other; since it was to answer the nobleness my lady showed in her free entertainment and charge in the furnishing her daughter with all things necessary, besides the expectation so many persons of quality had to find me answerable. Thus hath much cost been bestowed, and no less toil and pains to my good father shown in his perpetual motion, working to that conclusion, which I pray God may render you as much satisfaction as it doth me content, for none was ever more obliged to labour it than I. So have your cares and affections ever run equal towards me, that not only my duty to you, but your bounty to me, binds me as much to answer your lordship's freeness with acknowledgment, as my duty with obedience; for, if obedience be as good as sacrifice, gratitude is no less than the altar to lay it on, where I will be always offering up my prayers for your health and happiness. So desiring your lordship to return me again your blessing, I rest,

Your lordship's obedient grandson,

THO. FAIRFAX.

Hackney, June 29th, 1637.

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

RICHARD LAWSON got hither on Thursday night, but with very ill news. He came with Mawson, the foot-boy, and one Turner, of York, to Newark, on Tuesday last, dined there together, and went afterwards to Sewston.* Mawson had great desire at dinner to drink some white wine, which he did, about the quantity of a pint, but was so well after as that could not be conceived any cause to distemper; the next day, at Stilton, Turner came to R. Lawson and told him that Mawson was dead of the sickness, and the house ready to be shut up. I perceive by Jack that about a mile short of Long Billington, Mawson and his horse, Lee, he rid on, parted, but he cannot inform me how the horse was carried back to him: he got up, rid to the town, and when he alighted sat in the inn on a carrier's pack, and cast corrupt matter and blood. They got him to bed, after which he rattled much in the throat, but could not speak, and about three o'clock of the next morning died. The fear they had of the plague kept all in the house from him, save Jack and Turner, who would not leave him, but got two women to search him, who declared there was no sign of any infection about him; and that by the corrupt matter that came from him, it could be no other than an impostume; so they buried him decently, got an inventory of what he had about him, and set down the charges of his burial under the parson's and constable's hands. So Jack came away with

* In Rutlandshire.

the horses and brought them safe hither on Saturday night. This misfortune and loss of so painful a servant at this time, and in this manner, I fear might trouble your lordship; but his infirmity was such as could not promise any other than a short death, which he seemed at Bantry, before his coming out, to foreknow, expressing by many friendly and affectionate speeches there, and in the way as they journeyed, that he was a good Christian and an honest man.

I made my lady acquainted with the letter that this day I received from your lordship, of seeing her daughter with the best conveniency; she will hasten her journey to Norfolk, which is not so much to show her son among her friends, as really to be better acquainted in several places with that humour of his she has but yet guessed at, and to endeavour the rectifying it, as also to instruct the wife in her applications; for in truth she is very tender of this child and affectionate to my son, and six weeks now is the longest she requires for their stay with her. The marriage, that my lady intended private, was made too public; a very great feast made, and many at it. I hope she will prove a good wife; her affection to her husband, and demeanour in these few hours, promiseth well: the Lord give a blessing to these beginnings. It is now a busy time with my son and daughter, that they cannot write; they both desire their humble duties may be presented in these lines to your lordship, which the messenger hastens from me, for fear the post will be gone. I beg your blessing to us all, and humbly rest

Your lordship's humble and obedient son,

FER. FAIRFAX.

I think to-morrow my brother and sister, Constance, go a-board for the Low Countries; their goods are in the ship.

Hackney, the 20th of June, 1637.

FOR THE HONOURABLE AND MY MOST ESTEEMED BROTHER, SIR FERDINANDO FAIRFAX, KNIGHT, AT KNARESBOROUGH, IN YORKSHIRE.

GOOD BROTHER,

I HAD hope that my son and daughter should have been with you at the time appointed, but it hath pleased God to alter that we agreed upon; for within two or three days after your going down, my son, after a fit of the stone, fell into an ague, which hath held him ever since, with somewhat long fits each other day, the fits beginning with cold and then heat. Doctor Wright is very careful of him, and attends him every day, and saith he thinks the fits will not hold him long. I pray God bless the means for his recovery. I hope you believe that there shall be no care of mine wanting for his health, nor anything else for his contentment, for he is now to me as my own, which is argument enough to you to have that confidence in me. It is His will who is the wise disposer of all, to have it thus, and therein I desire to rest. My daughter, with watching and cold she got, is fallen into a fever, which is the more to her, because she hath never had any sickness. I trust God will sanctify His hand to them and me, that we may acknowledge Him in all. I intreat you to present my respective love to my Lord Fairfax, to whom I wish an

increase of health and happiness. So I leave you to the protection of the Almighty, and ever rest

Your affectionate loving sister,

MARY VERE.

Hackney, 11th July.

TO MY RIGHT HONOURABLE AND MOST ESTEEMED BROTHER, SIR FERDINANDO FAIRFAX, AT KNARESBOROUGH, YORKSHIRE.

GOOD BROTHER,

I CANNOT but give you an account, by all opportunity, how my son is, which is, I thank God, much better than he was: his fits come now to be but very little. He is, with his ague and spare diet, brought low; but I hope now his fits will wear away, and his strength come apace. Dr. Wright is so careful of him as can be; and myself have, with a great deal of affectionate care, done what I can to express my love to so deserving a son as is every way worthy of it, and very dear to me. So, with my loving respects to my Lord Fairfax, which I entreat you to present for me, I leave you to the protection of the Almighty, and ever remain,

Your very affectionate sister,

MARY VERE.

Hackney, July 18th, 1637.

The widow of Lord Vere, of whom we have just had such frequent mention, was Mary, daughter of Sir John Tracy, of Tuddington, in the county of Gloucester.

She was a woman of exemplary manners, and so publicly known for her virtues, that the Parliament confided to her care the Dukes of York and Gloucester, and the Princess Elizabeth. She survived until 1671, being then in her 91st year.

Her daughter Anne, so hardly gained to be the bride of Sir Thomas Fairfax, is thus noticed by Woodburn, in his "Illustrious Characters."*

"Anne, fourth daughter of Lord Vere, was brought up in Holland, and a zealous Presbyterian, but appears to have disapproved of her husband's conduct towards King Charles the First, at whose trial this lady exclaimed aloud against the proceedings, and the irreverent usage of the King by his subjects; insomuch that the court was interrupted; for her husband (Lord Fairfax) being called first as one of the judges, and no answer being made, the crier called him a second time, when a voice was heard to say, "He had more wit than to be there," which put the court into some disorder, and some murmuring was heard. Presently, when the impeachment was read, and that expression used of "All the good people of England," the same voice, in a louder tone, answered, "No, nor the hundredth part of them;" upon which one of the officers† bid the soldiers give fire into that box whence the presumptuous words were uttered. But it was quickly discerned that it was the General's wife! She was persuaded or forced to leave the place. Although she had concurred in her husband's joining the rebellion, she now abhorred the

* Her Portrait is the frontispiece of the Second Volume of this work.

† Colonel Axtel. This order to fire was urged against him at his trial as a regicide.

work, and did all she could to hinder him from acting any part in it."

TO MY HONOURABLE AND VERY WORTHY BROTHER, SIR FERDINANDO FAIRFAX, AT KNARESBOROUGH, IN YORKSHIRE.

GOOD BROTHER,

I AM very sorry that my son's sickness doth increase, and that in such strong fits, which cannot but much weaken him, and the more because they seize so upon his spirits. I perceive he hath but a weak body, and the more care and circumspection for the preservation of his health will be required, especially against melancholy, which is, I think, the ground of all. Though I know he cannot be better than with you, yet my affections carry me to a great desire that he were here with me; it would be a great satisfaction to me. I hope and pray that God will give a blessing to your means for his recovery, and rejoice in the hopes you give me of it; for my son hath a great share in my affections. I cannot much blame my daughter in case of so much fear and danger of a husband so dear to her as she writes to me he is to her, though she somewhat exceeds in giving way to her affections. It is an error that I can easily pardon; and hard it is to order our affections at all times, especially till we be more experienced. Now, when they have had vent, she will be more careful of herself, and, upon deliberation, will acknowledge whence the stroke is, and submit to what God will have her, and I hope will follow your advice and commands in the careful preservation of

herself, and of that which, as I hope, she is with, which I beseech God make a blessing to us. You hear, I believe, that the Prince is to be created Prince of Wales in June next; and that many Knights of the Bath are to be made, which (as is thought) will bring in a great sum of money. It hath not been usual for the creation to be when they are so young. The news reported out of Sweden is good for the present: that the Swedes have given a great overthrow to the Emperor's forces, and have taken four colonels, one whereof was the chief commander, and three-score colours, which they have sent to the King of France. This will hinder the Emperor's design to send forces against the Low Countries. He sent to the States to demand of them his imperial towns, but they gave the ambassador a slight answer, and he is returned discontent. I pray God look upon His Church, to defend it from the fury of the enemy. You will excuse from her who will ever be,

Your most affectionate sister,

MARY VERE.

Hackney, 15th March, 1637.

From the foregoing and other letters, it appears that the relatives of the future Parliamentary General had just cause for apprehending that his life would not be of even an average duration. This, however, was not their only anxiety; for at this early period of his career he appears to have been so liberal in his expenditure as to call forth the admonition of two much more thrifty housekeepers,—his wife's mother and his own grandfather. Apprehensions of his grandson's

unthriftiness troubled the old nobleman even on his death-bed, and the following testimony of his anxiety and his care for his offspring still remains in the handwriting of his son Charles.

"HAVING here made some few entries of the most remarkables of the family, that have come to my view or certain knowledge, I am now, for a sad epilogue, enforced to insert the passages of a discourse betwixt my dear father (the first Thomas, Lord Fairfax) and myself, which I dare not omit, by reason of a solemn engagement imposed upon me by him (with a quadruple charge, as is hereafter specified) not many months before his death. The substance whereof, with some of the circumstances, was to this effect. He, walking in his great parlour at Denton, I only then present, did seem much perplexed and troubled in his mind. But, after a few turns, broke out into these or the like expressions: 'Charles, I am thinking what will become of my family when I am gone. I have added a title to the heir male of my house, and shall leave a competent estate to support it. Ferdinando will keep it, and leave it to his son. But such is Tom's pride (led much by his wife) that he, not contented to live in our rank, will destroy his house.'

"I then offered something in vindication of both; and told him what was, not only my own thoughts, but the general hopes of all that knew them; yet, notwithstanding, he solemnly charged me to make known what he told me, when I saw a probability that it might so fall out. I then alleged my unfitness to be the publisher, and that it might be done by a person

better qualified, and one not so near in relation to him. He added, to that solemn injunction and command of a father, a charge upon his blessing, which I, having received with a sad heart and tears, protested I would do it. He then (it seems doubting my performance) superadded, as his last and great charge, that I should not fail, as I would answer him at the dreadful day of judgment, where I must give an account. This he twice repeated. Then (after some years), when I was certainly informed that the now Lord Thomas had cut off the entail (made by his grandfather and father, 7th May, 13 Car.) for the settlement of the estate upon the heir male, charging the land with a competent provision for a daughter or daughters, (he, the now Lord Fairfax being then at Denton, in the very same room where I received my charge), I faithfully acquainted him with the passages as above said. He gave me my liberty without words of impatiency or any appearance of distaste, and made me, then, more than verbal expressions of a kind acceptance. Now, in testimony that this is, in substance, the very truth, I (being upon the very brink of eternity, and ready to embrace and shake hands with death) do, in this narrative, for and in discharge,—1st, of my solemn engagement; 2nd, to a father; 3rd, upon his blessing; and 4th, as I shall answer him at the great day of judgment,—attest, in the presence of the Almighty God, that I do not prevaricate; which may be the better believed, because it can have no other reflections upon me than to my disadvantage, there being scarce a possibility (not the least probability) that either land or title should ever descend or fall so low (my brother Henry having

children and divers grandchildren, who may be inheritable, at least to the title) ; indeed, it may deprive me of that assistance and countenance of our chiefest support, whom it may exasperate. This very argument I urged to my father, but it had no prevalency to procure my discharge. Obedience, in truth, is better than sacrifice, not, as the world thinks, of my credit and esteem with my honourable chief (which I know I hereby sacrifice), but of the best oblation I am able to render. A very Pagan could say, "Fiat Justitia, ruat mundus,"* and I have learned to go upon a better principle, and yet have not wanted suggestions of discouragements, but dare not hearken to any dissuasion to the neglect of this duty.

"Ita testor,

"C. FAIRFAX.

"It has been my great care to manage this charge, incumbent upon me, with the least offence, and to those that object the discharge thereof will expose me to a snare inevitably to be avoided my answer is this, that the only wise God (to me universally good) that brought it upon me, knows a way, unknown to me, how it may be shared ; and to him I submit."

* So in the original.

CHAPTER VIII.

Charles Fairfax—Letter to his grandfather—News from Germany—Lady Vere to Sir F. Fairfax—F. Lewenstein to Lord Fairfax—Prince Rupert's release—Dowager Queen of Bohemia—Charles knew the repugnance to Episcopacy—The People rejected the Perth Articles—Temporising the best Policy—Laud for prompt measures—Rejoiced in ambiguity—High Commission Courts established—Liturgy proclaimed—Baillie's Letter—Juxon's wit relative to the Canons—Liturgy published—Bishops not unanimous in its favour—Laud's reproof of them—Church Riots at Edinburgh—Liturgy withdrawn for a time—Renewed opposition when again employed—Village Festivals condemned—Book of Sports—Rev. Mr. More's Letter—Puritanical Books prohibited—Ambiguity of the Proclamation—Romish tendencies—Anecdote of Lady Anne Cavendish—Thomas Fairfax to his grandfather—The Bishop of Lincoln's troubles—Dr. Duppa—Prynne, Bastwick, and Burton—Despotism exercised—Pym, Hampden, Cromwell, and others prevented emigrating—King resolves on War with Scotland—The Covenant signed—The Covenanters prepare for their defence.

WE have now reached the period in the reign of Charles the First, when he adopted those measures in his government of Scotland, which involved him in open hostilities with its people, and were the commencement of that Civil War which so afflicted the whole of his dominions, and which was so fatal to himself. Before entering upon a sketch of the Scottish affairs, and that we may continue it without interruption, the following letters are here introduced, connected as they are with those who took an active part in the strife, and the first of whom (among many others) attested his sincere devotion to the cause of liberty, by finding a soldier's grave on Marston Moor. Charles Fairfax was the second son of Sir Ferdinando,

and, at the time of writing the next letter, was serving in the army of the Low Countries, the school, during that century, for all English aspirants to military distinction. He returned to his native country at the commencement of the Civil War, and was killed fighting for the Parliament. A monument to his memory is in the little village church of Marston.*

TO THE RIGHT HONOURABLE HIS LOVING GRANDFATHER, THOMAS LORD FAIRFAX, AT HIS HOUSE IN DENTON, THESE HUMBLY PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

THERE hath not of late happened in these parts any extraordinary news; that which we so much inquire after and desire to know, is the time before going into the field, and that is reported to be very shortly, but not confidently believed. We may suppose, the weakness of our army, the ill provision the States have made for monies, may be two special reasons to the contrary; and it is most likely the consideration of those wants may be a means to keep us in garrison until such time as we are from thence forced by the enemy, who we understand, is already providing for a leaguer. And they might have had a great advantage

* From the old Fairfax family Bible this entry is extracted—"The 22nd of March, 1614, being Wednesday, was born, at Skough, in the forest of Knaresborough, Charles Fairfax, second son of Sir Ferdinando Fairfax, Knight; and was christened at Fewston, the 26th of the same. Sir Guy Palmes, of Lindley, and Walter Hawkesworth, of Hawkesworth, Esq., were godfathers; and Mrs. Douglas Sheffield, aunt to the said child, was godmother. He was wounded at Hessington Moor fight, by Marston, July 2, 1644, and died, July 7."—He was a Colonel of Horse.

of us, if it had not pleased God to discover in time the treason which was lately plotted by four States of these countries,—they might, as we may conjecture, have suddenly effected so much as would have been to the loss, discontent, and grief, to the whole country. For it seems by their letters, that they had an intention to have sold an island in Friesland, or rather betray it into the hands of the Emperor, and had withall promised to employ their best endeavours to make known unto him all the designs that were undertaken in these countries, either against him or the King of Spain. But now they are not likely to go on as they expected, for their letters are intercepted, put forth into print, and dispersed through all the parts in these countries. The chiefest of them was one of the States that belonged to the town of Dort. He, presently after the news was reported and made known against himself and the rest of his partners, got away; and such are the others' power and command in these countries, that not any dare as yet proceed against them.

I have sent here to your lordship a copy of those letters which Count Henry of the Bark, Captain General to the King of Spain's army, wrote to the Archduchess upon the subject of his resolutions and discontents, as also a reply which was made to his letters and sent to his Majesty. He is still resident in these parts, and now retired into a place which is destitute both of company and employment. There be general motives that might move and stir me up at this time to presume and make known to your lordship the truth of my present estate, but the consideration of the ill success in my former proceeding hath at this time so much hindered me, as I can think of nothing more than how I may present

unto your lordship my duty and humble thanks for your lordship's late favours.

Your lordship was pleased in a letter dated the 20th of July, to make mention of 10*l.* that should be returned to me at Martinmas then following, but I did not receive it above two weeks before Candlemas, and since that time I have not received any monies of my factor. My lieutenant-colonel, and my cousin, Mr. Holles, desired me to present their service in my letter to your lordship. Thus continuing my prayers to God for your lordship, and desiring a blessing, I humbly take leave.

Your lordship's obedient grandson,

CHARLES FAIRFAX.

From Gourcome, the 20th of March,* 1636. (N.S. 1637.)

TO MY VERY NOBLE AND MUCH RESPECTED BROTHER, SIR FERDINANDO FAIRFAX, AT KNARESBOROUGH.

GOOD BROTHER,

I WISH this could make expression for me, as I desire to acknowledge my respective love to you for the expression of yours in receiving my daughter in so noble a manner. My hope is, that as she is now yours, she will endeavour in all duty to carry herself as a child that would fain deserve the continuance of your favour and affections to her. I hope my son's ague, and her's, being already come to a period, they will, by God's blessing, gather strength apace. I have had answer of my letters out of the Low Countries, and hear (which I believe you have heard before now from him-

* Gorcum is a town of Holland, thirty miles south of Amsterdam.

self), that Mr. (Charles) Fairfax is in his colonel's company, and I have promises that with the first opportunity he will advance him: and, truly, he is so well spoken of for his discreet carriage, that he will merit it. I will trouble your leisure no longer, but leave you to the protection of the Almighty, and rest,

Your most affectionate sister,

MARY VERE.

Stiskey, October 20th, 1637.

FOR THE RIGHT HONOURABLE MY LORD FAIRFAX.

MY LORD AND DEAR FATHER,

I HAVE been so long without performing this duty, that I have nothing sufficient to plead for pardon but the assurance of your lordship's goodness, which I can never doubt, which makes me confident of the continuance of your lordship's favour, though I am not so fortunate to merit it as I desire. My lord, since the Queen my mistress came from Rhinen,* I have sometimes seen your son, (Charles), and now he tells me he is going for England, at which I joy with him, for the comfort of being in the presence of such a father will give him a new life, and do him more good than all his travels. He tells me it is your pleasure he should go into France; indeed, his greatest want is some of the French confidence; for all things else I neither hear nor see there is anything wanting in him. He is your lordship's own son in obliging his friends as much as he can. I hope when he returns, to see him more often in this Court. He can inform your lordship of what passeth.

* A town of Utrecht, on the river Leek.

I hope, by the solicitation of Sir Thomas Roe,* we shall see our sweet Prince Rupert here, he hath been so long a prisoner; the Emperor hath done it so freely, I doubt he will prosper the better for his generous mind.† I see but small appearance for the Queen my mistress and her's, except by the favour of the Parliament. When God pleaseth to help, to Him nothing is impossible! I should yet importune your lordship with a longer discourse, but have a swelled face and am not well. I beseech your lordship believe you shall ever have my best wishes for the prosperity of you and all yours, assuring you it shall be one of my greatest ambitions to give your lordship testimony of the gratitude is owing you by

My lord,

Your humble, faithful daughter and servant,

F. LEWENSTEIN.‡

Hague, November 24.

* Ambassador to the Emperor and Princes of Germany, 1640.

† In 1637, the Prince Elector and his brother, Prince Rupert, proceeded to Holland, for the purpose of raising an army, and in the year following to make another effort for the recovery of the Palatinate. With a mere handful of troops—not more than four thousand—they advanced into Westphalia, under General Hatsfield. Half of them were killed, and the remainder totally routed. This was Rupert's first battle; and, with the obstinate bravery which ever after characterised him, he would have sacrificed his life rather than yield his sword, but for the interposition of Lord Craven, who was his companion. They remained in prison until the date of the above letter, Lord Craven not obtaining his release but upon paying a ransom of 20,000*l.*—*Baker's Chronicle*, 457; *Bromley's Letters*, 86, 91, &c.

‡ This may have been Frances, the third daughter of Ferdinando Fairfax, and this is rendered more probable by the fact that the son she had by her husband, Sir Thomas Widdrington, died at the Hague. More than one letter shows that she was in attendance upon the now widowed sister of Charles, the dowager Queen of Bohemia. She may have had a title bestowed upon her by her royal mistress. On the other hand, it seems more probable that she was an illegitimate daughter of Sir Ferdinando Fairfax; for although she addresses him as her "father," she always speaks of Charles Fairfax as "your son," and never as her brother.

If Charles had not visited Scotland, and not only met its Parliament, but mingled with its people for a month, he might have pleaded in excuse for the measures he now proceeded to adopt, that he had been misled by false representations and bad advisers. But he was without any such admissible plea. He knew by the opposition in that Parliament that even a contemplated change in the dress of the clergy was viewed with alarm. This was a sufficient intimation that an episcopal Church government, with its outward forms and rituals, was distasteful: but this was not left to be inferred, for even the Scottish nobles of his Court attended most reluctantly at the services in the Chapel Royal. He knew that a petition, protesting against an episcopal establishment, had been framed, and though he had attempted to stifle it in its birth by returning a draft of it to the Earl of Rothes, with the mandatory remark, "No more of that, my lord; I will receive no such petition," yet after that the opposition could be no longer a thing unknown to him. He knew, moreover, that his father had never ventured to attempt the introduction of a liturgy, nor even of the vestments and rites of the English Church into Scotland. The people could not be induced by his father to submit to a conformity with the Perth Articles, and Charles was blinded indeed by self-will, if he thought that they would succumb to his greater innovations, less known and less loved as he was by the Scottish people.*

* The Perth Articles were five: enjoining, kneeling to receive the Eucharist; the celebration of Christmas, Easter, and three other festivals; Episcopal confirmation, and allowing private baptism and private administration of the Lord's Supper.

If the King had temporised, it has been wisely suggested that the whole country might have been induced gradually to acquiesce in all the proposed changes. The race of old Presbyterian ministers would have become extinct; the Bruces, Dicksons, and Calderwoods were in exile, or confined to remote districts, where it was believed their influence would be inconsiderable; and although other ministers who abjured the Perth Articles still held forth to large congregations, yet both ministers and congregations were diminishing. As these clerics died away, and the patronage came within the influence of government, there was no lack of candidates, acceptors not only of the Perth Articles, but of the liturgy, canons, and of any other change, which indeed must have been vast if beyond the capacity of their accommodating consciences. Already some of the chief appointments in the Universities and the Church had been filled with men of unqualified conformity, and deaths would in due course have provided vacancies for others equally willing to advance and sustain extreme changes. The influence of these over the minds of their pupils and their auditors would, according to past experience, have insensibly wrought the change desired. But such tardy progress, such watching for advantages, were not in unison with Laud's fiery temperament, nor Charles's ideas of the submission due to a King's behests.

They were for a prompt and short route to the fulfilment of their wishes; and we may not be suspected of want of charity, if we surmise, that they who would have tortured Felton, might not have been obstinately unwilling to have burnt a few presbyters. At all events they

raised an army, and would have given to Scotland the alternative of a liturgy or the pike.

It must not be forgotten that Prelacy had not been so much as admitted as a standing office of the Church in Scotland by any lawful assembly, but had been regarded constantly as "a great and insupportable grievance and trouble to the nation." * Yet Charles resolved that the people should admit and use canons and a liturgy also. Those canons were prepared under the direction and supervision of Laud; they were not in conformity with those of the English Church, and it is now certain that one of them, if not more, was couched in ambiguous and inconclusive terms to leave opportunity for future innovation.

Writing to his coadjutor in change, Dr. Maxwell, Bishop of Ross, that Scottish gnat, unworthy of notice but for the effects of his mischief, he said—"I am very glad your canons are in so good a readiness, and that the true meaning of that one canon remains still under the curtain. I hope you will take care that it may be fully printed and passed with the rest. It will be of great use for the settling of that Church." † Those canons had never been submitted to a general synod of the bishops, much less to an assembly of the clergy, but was the work, under Laud, of the bishop just named, aided by Doctors Sidserfe, Whitford, and Bannatine, respectively bishops of Galloway, Dumblane, and Aberdeen. ‡ To enforce obedience to those canons, and for visiting ecclesiastical offences generally, the Court of

* Laing's Memoir of Baillie, I. xxxii.

† Dalrymple's Memoirs, II.13.; Baillie's Letters, I. 437. (Edited by Laing).

‡ Burnet's History of his Times: Introduction.

High Commission was re-established. The royal warrant empowers subordinate local courts to be erected, in which one bishop, with six assessors, might summarily try not only charges of immorality, heresy, and sedition, but also deprive, fine, excommunicate, and imprison all ministers, masters of schools or colleges, and others, who spoke against the government, or against any of the conclusions passed at the Perth Assembly in 1618. *

A further outrage against public opinion, and marked by every accompaniment of ill-advised haste, was the Proclamation in December, 1636, announcing the King's purpose to introduce a new liturgy, for the superseding of the presbyterian form of divine service, then employed throughout Scotland. That Proclamation commanded "all persons, both ecclesiastical and civil, to conform themselves in the practice thereof, it being the only form which we (having taken the counsel of our clergy), think fit to be used in God's public worship there." Yet that liturgy was not ready to be issued to the people for more than eighteen months.

The Act of the Privy Council commanding the use of the Book of Common Prayer, is dated December 20th, 1636 ; and, on the following day, it was proclaimed at the Cross of Edinburgh.

Baillie, writing to his friend Wilkie, one of the professors in Glasgow College, thus spoke the opinion of every sensible and moderate man among his countrymen.

"The proclamation of our Liturgy is the matter of my greatest affliction. I pray you, if you can command a copy by your money or influence, let me have one ; and

* Baillie's Letters, I. 424. Appendix.

if it were but for two or three days, by this bearer. I am resolved to cast my studies for disposing of my mind to such a course, as I may be answerable to God for my carriage. However, I am greatly afraid that this apple of contention has banished peace from our poor Church hereafter for ever.

"In England, to this hour, as sundry episcopal books lately printed do testify, this fire is yet smoking, and ready, upon occasion, to break out for the trouble of that Church further than ever. Are we such modest spirits, and so towardly handled in this matter, that there is appearance we will embrace in a moment such a mass of novelties? I find (Bishop) Andrews himself, the demigod of the new factions, preaching before King James, in a writing dedicated to King Charles by this same (Laud, Archbishop of) Canterbury, showing that all Church laws, that all canons ecclesiastical, have always been made in Church assemblies, and not elsewhere. In England, it was so ever; the least ceremony never appointed but in the Convocation. Even if Andrews were silent, the constant practice of the Church doth evince this.

"It is to me a matter above marvel, how any one has attempted to move our sweet Prince to begin a new practice so late on our poor Church. Had we been truly, as once we were falsely, alleged, a pendicle (appendage) of the diocese of York, still more than a missive letter would have been used to have moved us to embrace a whole book of new canons, and more than one Act of Council to have made us receive a new form in the whole worship of God; prayer, sacraments, marriage, burial, preaching, and all.

"For myself, I am resolved, what I can digest as any ways tolerable with peace of conscience, not only in due time to receive myself, but to dispose others also, so far as I can by word and writing, to receive quietly the same; but whatever be my mind, yet I am afraid sore that there is a storm raised, which will not calm in my days. It is a pity that we should have none to give our gracious Prince due information. They are dearly-purchased honours, which are the price of our poor country and Church's peace and liberties, betrayed to the lust and set under the feet of some few foreign prelates, if not one alone. I may vent thus much of my grieved mind in thy bosom.

"Bishops I love: but pride, avarice, luxury, oppression, immersion in secular affairs, were the bane of the Romish prelates, and cannot have long good success in the Reformed."

This utterance of wisdom from the manse of Kilwinning, dated January 2nd, 1637, was prophetic. The few ill-advising bishops did indeed find their mitres "dear purchased honour;" for their price was years of distraction, bloodshed, and the life of their sovereign. Much nearer the truth were those observations than this comment upon the canons, which one is startled to find from the pen of Bishop Juxon. Writing to the Bishop of Ross, February 17th, 1635, he says:—"With your letter of the 6th of this month, I received your Book of Canons, which, perchance, at first will make more noise than all the cannons in Edinburgh Castle; but when men's ears have been used awhile to the sound of them, they will not startle so much at it as now at the first; and,

perchance, find them as useful for preservation of the Church as the others for the commonweal." *

When the Liturgy did make its appearance in the May of 1637, some months after the Easter when its use had been commanded to commence, it was found, where it differed from the English Prayer Book, only to approach nearer to the Roman Catholic ritual. Let it be granted that this estimate of the alterations was a mere phantom born of prejudice, yet this prejudice pervaded all ranks, and every individual of each rank. It was too general not to demand consideration, for it is an axiom, then too much disregarded, that the opinion of a whole people is rarely an error. Even such a man as Samuel Rutherford wrote thus from his prison cell in Aberdeen—"Our Service Book is ordained by open proclamation and sound of trumpet to be read in all the kirks of this kingdom. Our prelates are to meet this month for it and our canons, and for a reconciliation betwixt us and the Lutherans. The professors of Aberdeen University are charged to draw up the articles of a uniform confession; but reconciliation with Popery is intended. If I saw a call for New England I would follow it." † Nor was the bench of bishops free from dissatisfaction at the new Church service. "You write," said Laud in a letter to the Earl of Traquair, "that some bishops speak plainly that if their opinions had been craved, they would have advised the amending of something; and since, I hear from others, that some exception is taken, because there is more in that Liturgy in some few particulars, than is in the Liturgy of

* Dalrymple's Memoirs, II. 18; Baillie's Letters, I. 438. Appendix.
† Rutherford's Letters, &c., Letter 51.

England. Why did they not then admit the Liturgy of England without more ado? But by their refusal of that and the dislike of this, it is more than manifest they would have neither." *

With such widely-diffused dissatisfaction, and such want of unanimity even among the heads of that Church, of which the new Prayer Book was to contain the daily service, it would have been discreet to have had it quietly introduced; "for certainly," to use the words of Laud's reproof, "the publication a week before, that on the next Sunday, the prayers according to the Liturgy should be read in all the churches of Edinburgh, was upon the matter to give those who were ill-affected to the service, time to communicate their thoughts, and to premeditate and provide against it."† There seems reason also to conclude that Laud was correct in adding, "as it is most apparent they did;" for Sunday, July 23rd, witnessed such a rebellion against the appointed form of worship as was never paralleled by any tumult except in the interior of a public theatre.

In St. Giles's, "the Great Church," in Edinburgh, notwithstanding the presence of both archbishops, several bishops, the Privy Council, the judges, or "Lords of Session," and the magistrates of the city, the public feeling prevailed. No sooner was "the Buke," as the Scots designated the Liturgy, opened by the dean, than the congregation, those "of the meaner sort, many of them being women," overwhelmed him "with clapping of their hands, execrations, and outcries." In vain did Dr. Lindsay, the Bishop of Edinburgh, ascend the pulpit, and endeavour to assuage the excited congregation, his

* Rushworth, II. 398. † Ibid. II. 390.

lawn sleeves and other canonicals only served to exasperate the storm. "A Pope, a Pope! Antichrist! Pull him down!" were the exclamations which assailed him, and a stool hurled at his head would have silenced him effectually, if its aim had not been diverted by a friendly hand.* It is true that the Archbishop of St. Andrew's, and others in authority, succeeded in clearing from the church the vociferous dissentients, and the service was read, but it was amid a storm of interruption, outcries, thunderings at the doors, and a fusillade of stones through the windows.

At other churches in the city the results were similar, with this difference, that the congregations proceeded to greater extremities and the service was altogether abandoned. In the streets the excitement was prolonged, and the Bishop of Edinburgh was nearly trodden under foot by the people; while the Earl of Roxburgh, Lord Privy Seal, was only saved by the swords of his attendants from being dragged from his coach.†

If it had been only "the meaner sort" and "women" that thus contended against the Liturgy, the Scotch Privy Council would not have forthwith proclaimed that "till his Majesty should signify his pleasure, neither the old service nor the new service be used in the interim."‡

* Rushworth has left this memorandum preserved among the Sloane MSS. "I was at Edinburgh presently after the first disturbance by the woman throwing a stool at the Bishop's head—a small thing to be the beginning of a war."

† Rushworth, II. 388.

‡ Baillie's Letters, I. 448, Appendix. It has been truly observed, that some of the speeches of the commonalty showed that they had been tutored by better educated parties. One of the women who clamoured for the death of the Bishop of Edinburgh, when reminded that a worse man might succeed him, replied—"Nae, when Cardinal Beaton was sticked, we had never another Cardinal since then."—*Balfour's Stoniefield Day* (the name by which the Scotch designated that memorable Sunday), *Brodie*, II. 455.

In vain did the King issue reproachful proclamations; in vain did Laud vituperate Traquair, the bishops, and the corporation. It is true that the intervention of harvest occasioned a temporary lull, but no sooner did more leisure arrive than the tumults broke out with renewed violence, and assumed every form, from strongly reasoned petitions to the exercise of physical force the most outrageous. It was pointed out to those in authority that, in administering the Eucharist, the words of the English ritual had been exchanged for those employed in the Romish missal; and it was demonstrated, that such an innovation as a total change of the public worship required a much more formal authority than a Proclamation. These remonstrances not prevailing, the Earl of Traquair, the Bishop of Galloway, and others were attacked, besieged in the houses where they sought refuge, and narrowly escaped with their lives. In the conflict, the Earl lost his hat, his cloak, and his treasurer's white staff, and thus denuded, he was borne along like a malefactor by the crowd, whose cry now was, "God defend all those who will defend God's cause, and God confound the Service-book and all its maintainers." Fire-arms, and a promise that the people's complaints should be represented to the King, lulled the storm for a while.

Turning their attention towards England, to gather thence evidence of the consequences of submission to episcopal ordinances, and whether "justice tempered with mercy" was administered in its Courts of High Commission, the people of Scotland were confirmed in their resolves by witnessing some of the most pious of the clergy driven from their benefices because they

refused to advocate Sunday revels; and by the cruelty of such sentences as those upon Prynne, Bastwick, and Leighton.

In Somersetshire and other counties it had been customary to hold an annual merry-making, "Revel —Wake—Church-ale—Clerk-ale—Feast," for so the title varied, annually in every village upon the day of the saint to whom its church was dedicated. If this festival fell upon the Sabbath, no respect was paid to its sanctity, and every other consideration was made to give place to "the revelry robust." To remedy this desecration of the Sunday, Lord Chief Justice Richardson and Mr. Baron Denham, when on circuit, confirmed, at the request of the local magistrates, some former orders for its suppression. Laud designated this "a banding together of humourists against the feasts," and shortly after proclamations were promulgated throughout England, commanding that the King's "good people be not disturbed, letted, or discouraged from any lawful recreation, such as dancing, either men or women; archery for men, leaping, vaulting, or any other such harmless recreation; nor from having May-games, Whitsun-ales, and Morris-dances, so as the same be had in due and convenient time without impediment or neglect of divine service."* Not contented with communicating this to the wardens or other officers of the parishes, the clergy were commanded to read it to their congregations during divine service. Hundreds refused to comply, upon the same grounds as were objected by the Reverend Mr. Snelling, pastor of St. Paul's Cray, in Kent. He pleaded that the

* Rushworth, II. 195.

proclamation stated no penalty in case of refusal to read it, and therefore he declined from a conscientious belief that it was contrary to "the law of God, the law of the realm, and the decisions of councils." Hundreds refused upon these grounds; but without distinction they were brought into the High Commission Court and deprived of their livings.*

Nor were the inquisitorial researches of this Court for causes to deprive of their benefices all who did not conform to Laud's measure of righteousness, restricted to this patronage of "The Book of Sports." The most trivial ordinances and customs were matters for High Commission Court inquiry, of which the following may serve as an instance. The writer of the letter, the Rev. Benjamin More, is described by Bishop Gibson as "the good old Puritanical parson of Guisley, who diligently and faithfully served the cure sixty-three years."†

TO THE RIGHT HONOURABLE MY SINGULAR GOOD LORD, THE LORD FAIRFAX, OF DENTON, PRESENT THESE.

MY VERY HONOURABLE GOOD LORD,

MY long experience of your godly and Christian care of the peaceable and happy estate of God's Church in all places, causeth me to offer to your consideration the hopeful state of God's people about Bradford, furnished with two worthy preachers and a right able and honest schoolmaster, and a very

* Rushworth, II. 459. † Whittaker's Leeds, 211.

sufficient clerk both for learning and life, as I know any in all this country; all which helps that part of our country hath many happy years enjoyed to their great comfort and increase of religion, till now very lately some malignant spirits have blown up some sparks of contention into the sudden conceits of the archbishop's commissioners about their lofts, and about repeating sermons in their church; the lofts heretofore allowed, as others at Halifax and Leeds, and hurting no others, either of the liberty of sight, light, or hearing, and the repeating of sermons (wherein this clerk is chief, called Richard Horn,) being an open exercise used freely, sitting, or walking, or standing in the church after noon, long used, never forbidden. Yet now, this third week of September, nothing from Dr. Wickham, and Dr. Eastdale, but pulling down of lofts, and threatenings of imprisonment, of fines, and losing his place, to the utter undoing of the honest poor harmless clerk, his wife and children for ever, whom they took bound at Bradford to appear at the High Commission Court upon Thursday next, being also the scene-day.

The decrees are gone out, the execution only dependeth; your lordship seeth the mark of my pen, and the sum of my humble suit here, is the opportunity for your lordship's grave and honourable moderation to obtain a temperate qualification of so fearful execution, the terror whereof were sufficient punishment to greater offences; and that an equal hand of severity may be held over them at Bradford, as over Leeds, Wakefield and Halifax, for their lofts, exercises and conferences, &c. And thus, craving humbly your honourable, wise, and

gracious assistance herein, for the glory of God and the peaceable state of the Church, I rest,

At your lordship's commands in my best endeavours,

B. MORE.

Preacher and Rector of the Church there.

Giesley, 29th of September, 1633.

Against discipline so tyrannical as this, the moderate members of the Church coinciding and co-operating with the nonconformists, loudly raised their voices. Book after book issued from the press against this oppression, yet not so fast but they found numerous and eager readers, all condemning in no subdued terms the Ecclesiastical and Courtly conduct of the times. This expression of public opinion was rebellion in the eyes of Laud, and a decree of the Star Chamber, dated July 11th, 1637, strictly forbade under the penalty of "fine, imprisonment, or other corporal punishment," the printing or vending of books so "seditious, schismatical, and offensive, to the scandal of religion, or the Church, or the Government, or governors of the Church or State, or commonwealth, or of any corporation, or particular person or persons whatsoever." *

Strong and comprehensive terms these, the intent of which could be narrowed, or extended to embrace almost any offence, or to justify almost any severity of punishment. In such phraseology Laud delighted, and, as we have seen he observed on another occasion, he was delighted when "the true meaning was hid under the

* Rushworth, II. Appendix, 306.

curtain," because he found such "of great use for the settling of the Church." That the Church of England was now approaching the Church of Rome was considered so apparent, that Lady Anne Cavendish spoke truth as well as satire when she thus told Dr. Laud her reason for becoming a Papist: "I hate to be in crowds, and as I observe your Grace and many others are hastening towards Rome, I determined to get there before you comfortably by myself." Notwithstanding the decrees of the Star Chamber, however, never were pamphlets against the tendency to Popery, and the encouragement shown to its professors, so numerous as they were in the years over which we are now passing; but the favourers of that religion met this course of the popular opinion by an increase of persecution and punishment. Prominent among the sufferers were those mentioned in the following letter.

TO THE RIGHT HONOURABLE MY VERY GOOD GRANDFATHER, THE LORD FAIRFAX, AT DENTON, IN YORKSHIRE.

MAY IT PLEASE YOUR LORDSHIP,

MY wife's disease and mine is now, God be thanked, more weakness than sickness, which a short time I hope will recover. We owe great thanks to God that he was pleased to make so speedy an end to so sharp a beginning. It hath put us late in our journey down; yet my wife desires to perform her's into Norfolk to see her sister, and so doth my lady too, which I hope your lordship will allow of. Monday is appointed: if not that day, yet certainly some day that week; so that if you be pleased to send up any men, they need

be coming up next week. My Lady Townsend is now at her full account, and it may be her delivery will be whilst I am there, so I would not willingly be above a week, lest I too much throng the house. I cannot learn of much news, only I hear that the States are set down before Breda; yet this report is doubtful. The Bishop of Lincoln * is now in the Tower, suspended from all his livings, and fined 10,000*l.* to the King. The profits of the Deanery of Westminster are sought after by Dr. Duppa, the Prince's tutor. The fate of this bishop is much lamented, for he bestowed most of his revenues in pious works and charitable deeds, and the conferring to other hands will be a sensible loss to those that had tasted his liberality. Yet, although it is a just judgment for his infinite pride and ambition, which stood as offensive briers about so many sweet roses, he hath now a good memento to humble himself, but not so much means to work the accustomary good he used to do. At the dissolving of his family he showed that liberality was a natural disposition to him; for after he had spoken a moving and eloquent speech to his servants, expressing his sorrow that he was forced to cast them off so suddenly, and deprived of means to reward the faithful service they had done him, in a passion he broke off, flinging from them in a confused manner, accompanied with tears, saying he must part, and after he was gone sent 2500*l.* to be distributed amongst them. Thus in the lowest ebb of fortune did he show the treasures of a rich mind. Yesterday, Prynne was sent to Caernarvon Castle, Burton to Lancaster, and Bastwick into Cornwall. My weakness now advises me to make

* Dr. John Williams. Dr. Brian Duppa was afterwards Bishop of Winchester.

an end with my wife's and my humble duty presented, earnestly praying for your lordship's health, which shall ever be done with zeal by

Your lordship's obedient grandson,

THOS. FAIRFAX.

Hackney, July 24th.

The Bishop of Lincoln, so justly pitied by Sir Thomas Fairfax, was Dr. Williams, at one time Keeper of the Great Seal. He had been the supporter of the Duke of Buckingham and the patron of Archbishop Laud; but having opposed their plans, the chief adviser of the King resolved upon his ruin. He was accused in the Star Chamber of betraying the King's counsels; and the course of iniquity pursued by his assailants, from a tampering with his witnesses to a secret advising with his judges, may be read in the prolix, but learned and faithful pages of his biographer.*

The following letter from this prelate, during his imprisonment in the Tower, to the Earl of Arundel and Surrey, entreating his intercession that he might be removed to some place where he might enjoy more quiet and a purer air, is interesting, and manifests the tyranny which had been exercised towards him.

TO THE MOST HONOURABLE AND MY MOST NOBLE LORD, THOMAS, EARL OF ARUNDEL AND SURREY, PRESENT THESE.

MY MOST HONOURABLE AND MOST NOBLE LORD,

NOT the hope of being able for the small remainder of my life to perform any proportionable

* Hacket's Life of Williams, 112—126; Life of Selden, 214.

service or gratitude unto your good lordship for your former justice and favours towards me, by which I enjoy that little remainder I have of any civil or political being, but that innate propension which nature hath planted in every man's heart, to repair thither for help, where he hath formerly found relief, makes me (otherwise of myself not forward in this kind of boldness) to rush thus unseasonably upon your lordship's more serious affairs, upon these occasions of storms and adversities.

The Tower of London, my noble lord, is for his Majesty's greater affairs, from a fair palace and quiet abroad, turned of late to a fort or citadel, and become so full of soldiers and that kind of dirge or noise, which is most adverse and contrary to retired thoughts and the disposition of a student; so that as I have been sequestered for above these three years past from the company of the living, so am I now bereaved from any conversation with the dead, and kept close prisoner from men and books in effect, until such time in the evening as these people are withdrawn into their private huts and cabins.

May it please your good lordship therefore, out of your own nobleness and pity, to procure me to be removed from this prison to any other place of abode where I may enjoy a little fresh and dry air, upon what terms, limitations, and conditions the King's Majesty or the lords shall hold convenient, the rather, my good lord, because there is received (or now due) out of my sequestered estate half as much more as my fine comes unto.

For his Majesty's last offence conceived against me,

about a proposition made unto and recalled from Mr. Hampden in twenty-four hours, I have to his Majesty taken the fault wholly upon myself, because others will participate of no burdens of this kind. It was in Hilary Term that the motion was made unto me, as from his Majesty, to petition for the putting off of that hearing, with full assurance I should be presently restored to my poor fortunes; and when I had so petitioned, I was notwithstanding kept from all means and liberty, my Parliament writ stopt, and never had any particular (though I earnestly called for it) brought unto me in his Majesty's name, but at the very night before the last Parliament was broken up,—and then, God he knoweth in what matter and manner that proposition, or rather question, was put upon me. Now my business with my kinsman, Mr. Hampden, was begun and ended ten or twelve days before that time, which his Majesty peradventure is not informed of; and further, I do not go about to excuse this accident otherwise than in humbly craving pardon of his Majesty if I have offended. Lastly, whereas your lordship, as Mr. Lieutenant tells me, hath heard complaints of some brables between a servant of mine and some of the warders of the Tower, be pleased to understand that that warder who complained unto me was quite drunk, as it seems my man was also, who hath been sufficiently punished already both by Mr. Lieutenant and the warders, and more severely by myself. But it is not worth the troubling your good lordship with what passed between that one warder and me, seeing that I am assured, and have good witness thereof, he was in such a case at that time as I could not possibly understand him, and therefore

might easily misunderstand me, and in consequence thereof misreport me.

My lord, whether I shall receive this favour or any other from your lordship, I am for those great ones already past, and the esteem I have ever borne of your most noble person, lady, and family,

Your lordship's most obliged servant
and beadsman,
Jo. Lincoln.

Tower, this 2nd of October, 1640.

This is only one instance out of very many that might be quoted, demonstrating the cruel despotism practised during the eleven years which passed without a Parliament. It matters not whether reference be made to the pages of Clarendon, Franklyn, Rushworth, or Whitelocke, historians widely differing in their political bias, for all agree in narrating facts which demonstrate that it was a period of tyrannical misrule. This was apparent especially in the blind and cruel attempts to terrify men from all freedom in their religious opinions. This crusade against liberty of conscience was not confined to the torture of individuals only. It is true that Prynne, for the second time, with Burton and Bastwick, had been subjected to a mock, iniquitous arraignment, to the executioner's knife and branding-iron, as well as to solitary imprisonment, far away from all mitigating intercourse; but the effort to shackle the mind did not stop there. Many, willing to escape from such persecutions, were anxious to find a refuge in a voluntary exile to the then unexplored prairies of Connecticut, and among these were Pym, Haslerigg, John Hampden, and his

cousin Oliver Cromwell. It is a well-known fact that these gentlemen were actually embarked as emigrants, when an order of Council forbade their departure, and Charles thus unconsciously prevented the removal of the chief agent who consigned him to the executioner.*

This tyranny over individuals at length extended to an attempt to sweep away liberty of opinion from a whole people, Charles resolving to silence it even by waging war against the Scotch. We have seen that this hardy race had dared to differ from the English Court upon Ecclesiastical government and discipline. They refused to assent either to Episcopacy, or to the admission of the Church Liturgy, and Charles being determined that they should accept both, brought disgrace upon his army, and eventually ruin upon himself, in the abortive attempt to carry out this despotic resolution.

In proportion as the menaces and danger became greater, so did the firmness and union of the Scotch increase; and they determined to bind themselves by that general league that has become so celebrated in our national history, as *The Covenant.* This popular compact was drawn up by Alexander Henderson, the most influential of their kirk ministers, and Archibald Johnston, better known by his subsequent title of Lord Warriston, and was finally revised and approved by Lords Balmerino, Loudon, and Rothes. This was early in 1638, and with so universal a welcome was it received, that in less than three months after, 20,000 Covenanters, and seven hundred of their ministers, assembled at Edinburgh, to meet the Marquis of Hamilton, sent down by the King to cajole them and foment divisions in their synod, whilst

* Neale, II. 237; Walpole's Royal and Noble Authors, I. 206.

professedly treating for an amicable arrangement. That the Marquis came to deceive them, is no mere surmise, for the very instructions he received from the King in writing were "to put divisions among them," and to break them "by proving nullities in their proceedings," for than this, concludes this discreditable letter, there could be "nothing better." * To thwart and to deceive them, was to be preferred to peace and agreement.

The wary Scots were not, however, to be thus deluded; and finding that whilst negociating with them, the King was actually on the point of embarking troops levied in Ireland for the invasion of their country, they at once set his representative at defiance. The synod refused to dissolve, but proceeded without delay to abolish Episcopacy, and to confirm the Covenant. With equal promptitude, and with befitting energy, they commenced preparations for a defensive war, and requested General Alexander Leslie, one of their most distinguished soldiers, to return from the continent, and assume the command of the army, whose motto was—"God and the Covenant."

* Burnet's Memoirs of the Hamiltons, 88.

CHAPTER IX.

The King determines to declare War—Sir T. Widdrington's Speech—Poetical Address—Ferdinando Fairfax appointed to a Colonelcy—The Courtiers attending the King mislead him—Letter of Ferdinando Fairfax—The King's Arrival—Regalia removed—The King deceived—Yorkshire Address to him—Deficiency of Money—Letter of Thomas Fairfax—Strength of the King's Army—Scarcity of Provisions—Letter of Lord Fairfax—Commanders of the Army—Letter of Ferdinando Fairfax—The King's Military Movements—Earl of Northumberland desires his friends to join—Mr. Procter's Letter of Excuse—Letter of Ferdinando Fairfax—Explains the Earl's meaning—General Order of the Earl of Arundel and Surrey—Letter of Ferdinando Fairfax—Other Commissions sent—Letter of Sir E. Osborne—Payment of Five Hundred Pounds—Letter of Ferdinando Fairfax—March to Carlisle—Letter of Sir T. Widdrington—The King at Berwick—Sir S. Harcourt arrives—Scotch Army not concentrated—Letter of Ferdinando Fairfax—Lord Clifford—Irish Forces—Rumour of a Pacification—Nobles adverse to the War—Protestation of Loyalty—Lords Say and Brook refuse to sign it—Expense of War fell upon the Nobility—Letter of Sir E. Osborne—Letter of Sir F. Fairfax—Bad Weather—Military Privations—Meeting of the English and Scotch Troops at Kelso—Disgraceful Retreat of Lord Holland—Sir John Suckling—Marquis Hamilton sent for—Unexpected advance of the Scotch—Baillie's description of the Army—Negociations opened—The King attends personally—Signs a Declaration of Peace—Letter of Thomas Fairfax—Fear of renewed Hostilities.

THE King having resolved to enforce submission to his will by an appeal to arms, set forth upon this crusade against Scotland, in March 1639, and on arriving at York on the 30th of that month, was there greeted with the following fulsome address. It was delivered by Sir Thomas Widdrington, then Recorder of the city, to whose disgrace, be it added, that within a few years

after, he took a part in administering the oath at the Protector's installation.

"MOST GRACIOUS AND DREAD SOVEREIGN,

"BE graciously pleased to pardon this stay, that we, the least and meanest motes of the firmament of your Majesty's government, should thus dare to cause you, our bright and glorious sun, to stand. Give us leave, who are the members of this ancient and decayed city, to make known unto your Majesty, (even our sun itself) where the sun now stands, in the city of York, which now, like an ill-drawn picture, needs a name; a place so unlike itself that we may boldly say Niobe was never so unlike Niobe, never old man so unlike himself, being young, as is the city of York unlike the city of York. Heretofore an Imperial city, the place of the life and death of the Emperor Constantine Chlorus, in whose grave a burning lamp was found many centuries of years after, honoured with the birth of Constantine the Great, and with the most noble library of Egbert. I might go farther, but this were only to show or rather speak of our ancient tombs. This city was afterwards twice burnt, so that the very ashes of these antiquities are not to be found. And if later scars had not defaced our former glory, what was it truly in respect of what we now enjoy? The births, lives, and deaths of emperors are not so much for the honour of York as that King Charles was once Duke of York. Your very royal aspect surmounts our former glory and scatters our later clouds. It is more honour for us that King Charles hath given us a new life, nativity, and being, by

a most benign and liberal charter, than that Constantine the Great had his first being here.

"And for the lamp found in the grave of Chlorus, your Majesty maintains a lamp of justice in this city, which burns more clearly than that of Chlorus, and shines into five several counties, at which each subject may light a torch, by the brightness whereof he may see his own right, and find and taste part of the sweet and wholesome manna, here at his own door, which drops from the influence of your Majesty's most just and gracious government.* So that if the library of Egbert were now extant amongst us, that very idea of eloquence which the most skilful orator could extract out of it, could not be able to express what we owe to your Majesty, there being not any acknowledgment answerable to our obligations; for, besides all this, the beams and lightening of those eminent virtues, sublime gifts, and illuminations wherewith you are endowed, do cast so forcible reflections upon the eyes of all men, that you fill not only this city, this kingdom, but the whole universe with splendour. You have established your throne upon two columns of diamond, piety and justice; the one gives you to God, the other gives men to you, and all your subjects are most happy in both; for ourselves, most gracious Sovereign, your Majesty's humblest and meanest subjects, obedience, the best of sacrifices, is the only sacrifice which we have to offer to your most sacred Majesty. Yet, vouchsafe to believe, most mighty King, that even our works (such as they are) shall not resemble those sacrifices whereout the

* These fulsome terms were applied to the oppressive Court of the Lord President of the North, and one of the first which was abolished in 1641!

heart is taken, and where, of all the head, nothing is left save only the tongue. Our sacrifice is that of hearts, not of tongues. The memory of King Charles shall ever be sacred unto us, so long as there remain any altars, or that oblation is offered on earth. The most devout and fervent prayers of your Majesty's daily votaries, the poor citizens of York, are and ever shall be that the sceptre of King Charles may like Aaron's rod, bud and blossom, and be an eternal testimony against all rebels; and our most cheerful and unanimous acclamations are that King Charles may long live and triumphantly reign, and that this kingdom may never want a King Charles."

So false and fulsome address as this could not but be repulsive to the acknowledged good taste of the King; and with equal ill-feeling, if he heeded these lines which were presented to him on the same occasion, must he have remembered that the result of his expedition signally demonstrated that their author, however ardent a worshipper of Apollo, had received from that deity no Delphic inspiration.

TO THE KING.

Nor can religion be a garment fit
T' apparel it;
The colour is too purple to pretend
To a white end—
That Kirk's too black to be an ark of love
That thus sends forth a raven for a dove.

Nor think it strange, great prince, that states should shake;
Such motions make

More for fixation, and things part asunder
To knit with wonder.
This loosens not your state, but their design—
Shakes it to tie it faster to your line.

Now doth the loyal heat of Scotland turn
Wild fire and burn;
Nor doth the Majesty you sprinkle tame
The unruly flame;—
For when such sacred oil meets with such fire,
Then the rebellious flame doth sparkle higher.

Nor did your virtuous influence abate;
Which, in their state,
You by no declination did begin
A copy to their sin;—
No, you are still as good; we that live near
Your influence, live as loyal as we were.

But since your northern part, which being so far
From you, thus dare
Gather in clouds, take you a nigher station—
Such vaporous combination
Must see the sun more full; since here you seat
Your beams, they'll scatter at such royal heat.*

In March 1638, by a commission under the hand of Sir Edward Osborne, father of the first Duke of Leeds, and Vice-President of the Northern Council, Sir Ferdinando Fairfax was appointed Colonel of a regiment, 1000 strong, of the Yorkshire Trained Bands, and in virtue of this command he was in attendance upon the King, on the occasion when the preceding addresses were delivered.

The attendance of peers and gentlemen to aid and

* Fairfax MSS. The author is not named.

accompany the King in this expedition was not so numerous as his Majesty had been misled to expect. We are told by a contemporary historian, that the Court noblemen ridiculed the Covenanters, and professed to be merely annoyed at the degradation of having to fight with so mean a foe.* This profession, however, was hollow: they had no stomach for the fray. This made them eager to seek excuses for being absent, but the gentry and lower grades of the English community sympathised with their Scottish brethren in what was considered a contest not merely against prelacy but papacy. M. Guizot and others upon whom he founds his narrative, state that Charles arrived at York, surrounded by extraordinary pomp; but we shall find, from an eye-witness, that so far from that being the fact, the royal headquarters were but scantily attended. Defection was around the King, arising from a distaste for the service which pervaded all ranks, and was the origin and the guarantee of failure and disgrace. Clarendon and other contemporary writers assure us that there were not wanting courtiers, English as well as Scotch, who, for the ruin of some rival, in revenge for some slight, or for security in case of reverses, not only sent information to the Covenanters, but magnified their power and otherwise endeavoured to mislead by exaggerated and false reports. On the other hand, those from whom the King might justly expect accurate information, equally aided by their deceptions to lead him into false hopes, and into the mistaken measures which these hopes naturally suggested. Prominent among these was Dr. Maxwell, Bishop of Ross; for this prelate, and others

* May's History of the Parliament, I. 47.

of his brethren, had gone the length of assuring the King, that the Scotch people were in favour of the Liturgy.* Such blindness and infatuation in all the prime movers of this arbitrary course seems inexplicable; and we must rest now contented with the commentary on it by a wise contemporary, that "those who conducted matters at that time had as little of the prudence of the serpent as of the innocence of the dove."†

In the following letter to his father, Sir Ferdinando Fairfax gives an outline of the opening proceedings :—

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

THE King is come hither with a very small train; none of the lords attending him save the Lord of Lennox, the Earls of Arundel and Holland. I was with the general (the Earl of Holland) yesterday morning, and attended him to Court. I acquainted him with your lordship's infirmity and weakness, which he was very sorry for, wishing you had been in the best state of health at this time. There was warning yesterday morning that the Lord Lieutenants and Colonels should attend his Majesty at two of the clock in the afternoon. The King expressed his thanks for our willingness to this action, and required us to be ready and make preparations for a march on a sudden with the whole companies; and instantly he gave dispatch

* Clarendon's History of the Rebellion, I. 86. fol. ed.

† Burnet's Own Times, Book I.

to Sir W. Pennyman to march with his towards Berwick, whither on Saturday last were sent the forces of the Bishopric and Northumberland to keep and fortify it. The Sheriff's regiment and Sir Hugh Cholmondely have likewise order to march, so as the forces are sent by pieces and in much haste, to remain till the army advance. The Scots have taken the Castles of Edinburgh, Dalkeith, Stirling, and divers others, and have with their impure hands carried away the crown, sceptre, and other regal ensigns, to places of their own.

Here are some few lords, with their servants, come to bring ill-tidings, stolen out of the kingdom, which is now wholly of the Covenant side, save those few at Aberdeen, towards whom about six thousand persons are marched, and those given to be lost not so much by the sword, as by conventing to the Covenant, which all of that kingdom readily incline to. To-morrow (as the post yesterday brought word) is the day that ten thousand are appointed to meet near unto Berwick, and there stay and expect the English forces. It is thought they will take that town if they find any fortifying it, which will force our sudden march. The King now finds that his ears have been abused by pretensions of great forces on his side in that kingdom, whereas none now appears. I cannot write more at this time. As occasions happen, I shall acquaint your lordship further; and now, with my duty's remembrance, remain

Your lordship's humble and obedient son,

FER. FAIRFAX.

York, this 1st of April, 1639.

The "willingness" alluded to by the King was

expressed in the following address to his Majesty from the Yorkshire gentlemen whose names are affixed :—

"MOST DREAD SOVEREIGN,

"WE your Majesty's most humble and loyal subjects and servants, the Deputy Lieutenants and Colonels of the county of York, having heard and considered of divers propositions made unto us by Sir Jacob Astley, Knt., Serjeant Major General of the Field, and Sir Thomas Moreton, Knt. and Colonel, conducing to the safety and defence of your Majesty's whole kingdom, and more particularly of these northern parts, do, with all humble readiness and unanimous consent, profess that in case your Majesty, out of your princely wisdom, shall find cause to command our service, we with our own persons, together with the Trained Bands of this county (being double their ancient number, and the charge of any other county near us, proportionably), will be ready to march, with the arms charged upon us, to such place or places of rendezvous as your Majesty shall be pleased to assign; there to enter into pay according to your Majesty's instructions, signified by the said Sir Jacob Astley. Nevertheless, with all humble submission, we beseech your Majesty to take into your gracious consideration in what state and condition our county, fortunes, wives, and children, will be then left, when those forces shall be totally drawn from us, which, as we conceive, are and always have been seated and settled among us for our own defence and safety at home, and, for anything that we have ever heard or can find to the contrary, even in

times of greatest hostility, were never all at once employed out of our own county, upon any remote service whatsoever; nor can we but expect many insolences and disorders from such forces as shall be raised out of other parts for securing ours during our absence, as may appear by experience of some former times. All which we most loyally and dutifully submit to your Majesty's princely wisdom, being really confident that as your Majesty's most vigilant eye of providence ever watcheth over all your kingdoms in general, for the public peace and preservation, so you will be graciously pleased to take us and our county now into your royal consideration, who shall be exposed to most damage and danger in case your Majesty be enforced to enter into action. Thus beseeching God for your Majesty's long and prosperous reign over us, we humbly rest, your Majesty's most loyal subjects and obedient servants,

"EDWARD OSBORNE
WILLIAM SCOTT, MAJOR
WILLIAM SAVILL
JO. HOTHAM
HENRY GRIFFITH
WILLIAM PENNYMAN
THOMAS MESHAM
HENRY GOODRICK
WILLIAM LISTER
JO. RAMSDEN
HUGH CHOLMONDELEY
ARTHUR INGRAM
WILLIAM SHEFFIELD
GEORGE WENTWORTH
EDWARD RHODES
THOMAS DANBY
WILLIAM MALLORY
GEORGE BUTLER
ROBERT STRICKLAND
ROBERT ROCKLEY."

Notwithstanding the slender attendance of noblemen upon him, and in defiance of this remonstrance, strongly indicative as both of these were of the national distaste to the expedition, the King persisted in pressing forward towards the Border. These were not, however,

the only considerations that should have made him pause. It ought to have been sufficient to induce him to further deliberation, when he discovered that the Scots were united as a nation in favour of the Covenant, and that the English were not hearty in this attempt to forbid their fellow-subjects the liberty of opinion. A paramount reason, however, which should, have made Charles absolutely refrain from advancing and concentrating his army, was the acknowledged fact, that provisions were scarce, and that there was no money wherewith to pay his troops. These circumstances, apparent even to the subalterns of the forces, are thus related by Thomas Fairfax to his grandfather.

TO THE RIGHT HONOURABLE MY MUCH HONOURED GRANDFATHER, THE LORD FAIRFAX.

MAY IT PLEASE YOUR LORDSHIP,

I INTENDED to have returned your bald horse this day, but because I thought your lordship would not use the other yet, and having some delight in his going, I thought to keep him till I received your lordship's commands, which now I have, and as ready do observe. I fear he will want something of what is required in a good stallion; his age is much, and his body but small, yet he is of a good race and well spirited, and, as I hear, hath got both larger and handsomer horses than himself. My lord, we have no news from the north; the army is not yet got together; it will fare the worse when it doth, for provisions are very scant; the forces there and on their march thither, are 4000 horse and 18,000 foot.

We hear the Scots have writ another letter to my lord of Essex, which he sent to the King before he broke it open. We have not yet heard the subject, but we may well think that these weighty matters cannot receive an end from the small satisfaction of a letter; yet, if it please God, He can do it by this or yet weaker means; into whose mighty protection I commit your lordship. Humbly begging your blessing, I rest, my lord,

Your lordship's most obedient grandson
and servant,
THOMAS FAIRFAX.

York, May 6th, 1639.

The writer of this letter had the command of a troop of horse in the King's army, so little was the Fairfax family inclined at that time to act against their Sovereign. The old lord, always anxious that his grandson should rise eminently in his military career, and in accordance with his former pithy advice, "Tom, Tom, mind thou the battle!" thus addressed him:—

TO MY VERY LOVING GRANDCHILD, THOMAS FAIRFAX, CAPTAIN OF A TROOP OF HORSE IN HIS MAJESTY'S SERVICE.

TOM,

I DESIRE you to be mindful to serve God with all your soul, and the King with all your heart. You know in what obligations you are bound to my Lord General, therefore apply yourself to him with your best respects, and I do not doubt but he will regard you. Avoid private quarrels as much as you can, and show

your valour upon the common enemy ; the first will but show your pride, and bring you hatred, the second give you honour and reputation. I write this, because amongst so many as you shall converse with, you shall meet with men of various humours. I have by this messenger sent the bay gelding to the Honourable Mr. Percy, praying him to accept him, and to place some of his own servants on him, for you may tell him that mine are so divided between your father and you, as I have not one to spare. Nickson did offer himself to go, but, when it came to it, alleged his wife and children could not spare him. Let me hear from you as often as you can, for where I dwell I hear nothing of those affairs. My prayers shall always be for the King and the good success of the army, and thus, with God's blessing upon you all, I end.

Your very loving grandfather,

THOMAS FAIRFAX.

From Denton, 12th of June, 1639.

The determination to press hostilities vigorously appeared in the movements which now took place. The Earl of Arundel, Commander-in-Chief, with the Earl of Essex as his Lieutenant General, and the Earl of Holland as General of Horse, advanced by forced marches towards Berwick, which was certainly threatened by the Scotch, and even by some said to have actually fallen into their hands. The latter rumours proved to be false. As the subsequent movements of the troops are narrated in the following letters, they may be given without comment :—

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

HAVING formerly received a letter from my Lady Vere, that the 2000*l.* arrear of my daughter's portion should be paid the first of this month, I desired (because of his Majesty's coming hither, and the many employments we might have at this time) that her ladyship would please to keep the money till the first of the next month, at which time my son Widdrington might be got to London, who might be intrusted for receipt of the money, and deliver the deeds of Ovington, which are as mortgage for that payment. The last post brought me this inclosed, in the conclusion whereof my lady writes, the money shall be kept till that day, which is the first of May.

I have acquainted this bearer with all that is known here of the Scottish business. My Lord of Essex entered into Berwick with 1400 on Tuesday last, and my Lord Clifford had 500 good soldiers sent him into Carlisle the same day, which came out of Ireland. The country people come into both towns, and raise works which are not yet hindered by the enemy; they were then marched to Aberdeen, which is now said to be taken, and about 3000 good arms, lately sent by his Majesty to his own party, they got; likewise forty good pieces of cannon, and other artillery in the castle of Edinburgh, with good store of powder there and at Dalkeith. The Marquis Huntley is gone further north, to a castle of his, where he remains with some small strength about

him; it is thought he will not be attempted, but the forces brought to the borders, there to attend the movings of the English. I desire your lordship to excuse my haste.

Your lordship's humble and obedient son,

FER. FAIRFAX.

5th of April, 1639.

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

HERE is little news either from the Court or army, only that my lord of Lindsey is got to his government at Berwick. All the present regiments by the latter end of this week will be got about Alnwick, which with those that are drawn up to the frontiers, will make 17,000 foot, besides 3500 horse. Sir John Melton told me that my lord of Northumberland desires those gentlemen that hold lands of his manors should now show their affection to him. His earnest suit to his Majesty was to have come along this journey, but it was not granted, so as this new troop is to be commanded by Mr. Henry Percy, his brother, who requires only man and horse complete, who shall presently enter into pay, without any further charge to the owners. Mr. Percy is returned into the north, from whence Mr. Potter, my lord of Northumberland's solicitor, is come, and says, Mr. Percy will send notice shortly of the time and place where he would have them meet him. I cannot hear yet what others will do, or whether there will be other summons than these intimations.

My son Charles went yesterday to Hull. The ship is ready, and the wind this day reasonable good. This is all I can now write, humbly resting,

Your lordship's humble and obedient son,

FER. FAIRFAX.

York, this 9th of May, 1639.

TO THE LORD FAIRFAX.

MY VERY GOOD LORD,

THIS intimation implies a desire which yet is but of courtesy, and therefore ought as willingly to be excused in those who are so many ways charged as is your lordship both at home and abroad, by these instant occasions. It is not of right to be commanded, nor of due to be performed; though of such gentlemen of worth who are fitted, over and besides their private charge to his Majesty, I must needs confess (as your lordship much better knows) that it were a thing well beseeming them to apply and supply what they with conveniency can, to the so noble and worthy intentions and desires of so great and honourable person, and so high an officer to his Majesty, as is this Earl. Oh how willing should I be, if I were not depressed (as I have unfolded to your servant), to furnish some to be sent from your honour to such an employment, if I had not been so lately as I was, disfurnished of means, and am (in these hard times) to prepare more, and that speedily to be stripped out of that also. So do I still turn the wheel of my adverse fortune. With most humble and

inmost affectionate thanks I feel your lordship's goodness towards me, and rest ever,

Your sincere and humble servant,

THOMAS PROCTER.

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

I HEAR nothing yet of my own or any other remove, though it hath been rumoured at Court that more forces should speedily be called on. We hear that the King's last proclamation had an ill reception in Scotland, and was instantly answered by a flat declaration against it.

On Monday last the Scots showed themselves about 20,000, near unto Berwick, but attempted nothing. Yesterday, at Newcastle, war was proclaimed against that nation, which is like to hasten our going. I had not sent back this messenger, but to bring this inclosed letter from R. Lawson.

I think the case to aid my lord of Northumberland with a horse and man for his Majesty's service was not right put to Mr. Procter; the Earl doth not challenge it as a due, but as a favour from his friends, which I hear Sir Walter Vavasour, Sir Peter Middleton, and many other gentlemen who hold land of him, have very readily assented unto. His lordship intended to have commanded them himself, but being hindered by his greater employments, desired that the same favour should be done to his brother, who as yet is his heir. Sir John Melton showed me his letter, desiring that the men to

be sent, should be at Berwick before the end of this month; what intimation of the letter is given I know not, without some particular notice of which none will move. I received a letter from my sister Constable, by this post, as also another from Sir William Sheffield, of some news too long to write out, and therefore have sent it. When I hear further, I shall acquaint your lordship, resting,

Your lordship's humble and obedient son,

FER. FAIRFAX.

York, this 17th of May, 1639.

At length the order to march was communicated to Sir Ferdinando Fairfax in this general order :—

TO MY VERY LOVING FRIEND THE LORD FAIRFAX, OR SIR FERDINANDO FAIRFAX, THESE.

AFTER my hearty commendations,—Whereas his Majesty intendeth, in his royal person, on Friday next, to encamp at Goswick, near the town of Berwick; and to that purpose hath commanded me his general to march hence on Monday next, with his army, to be ready upon the place to attend his coming: his Majesty also finding it fit to increase his army, and being most confident and assured of your zeal and forwardness to his service, hath therefore commanded me to let you know it is his pleasure that you prepare yourself to attend him in this action; and that you presently assemble the regiment of trained men, whereof you are colonel, according to the commission I have sent you; and immediately to march with it to Newcastle, where

from the Treasurer of the said army you shall receive an advance of pay for all the officers and soldiers of that regiment; and thence to march forward at Goswick, there to expect his Majesty's further command, or mine as general of his army. In the due performance of all which, you are to use all possible care and diligence; of which no way doubting, I remain,

Your very affectionate friend,

ARUNDEL AND SURREY.

Newcastle, 17th May, 1639.

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

I RECEIVED late yesternight this inclosed commission and letter. It seems your lordship's name, standing still in the list of the colonels, it was thus doubtfully directed, though a month ago, by your lordship's directions, I spoke to Mr. Vice-President, and then he gave me a commission of the regiment to myself, requiring a return of the other at best convenience. He is now out of town at Keeton, so as I cannot get a commission for lieutenant Atkinson to command Sir R. Hawksworth's late company; I have sent to every captain of the regiment to make their companies ready, and to be at Knaresborough on Friday night next, to

* Thomas Howard, Earl of Arundel and Surrey, was appointed General of the King's army against Scotland, during this expedition. He was a man of courage, as well as a distinguished patron of the fine arts, having spent much of his time in Italy. He retired thither, and died in 1646, leaving behind him, as the result of his experience, the opinion that "he who could not draw, could not be an honest man."

set forwards the next day, which is all the time I could well give. Considering the intimation given of our speedy coming to the army, there are the like commissions given and sent to Sir Jo. Hotham, and Sir Thomas Metham, and likewise to Captain Butler and my son, to go with their troops of horse, who set not forward till Monday or Tuesday the next week. In this short time of my stay here, and necessity of being present for receiving and giving directions for the carriages and providing necessaries for myself and the regiment, I much fear I cannot come to receive your lordship's commands at Denton, unless it be on Friday morning, for an hour or two, which I will endeavour to do, and certify your lordship as occasions serve of such things as shall happen, now resting in much haste,

Your lordship's humble and obedient son,

FER. FAIRFAX.

York, this 20th of May, 1639.

I have herewith sent the commission and letter, desiring they may be returned to-morrow by Stainforth.

[For his Majesty's special service.]

TO MINE HONOURABLE FRIEND AND COUSIN SIR FERDINANDO FAIRFAX, KNIGHT AND COLONEL AT KNARESBOROUGH, WITH ALL POSSIBLE SPEED THAT MAY BE.

(Haste, haste, haste!—post haste, haste!—for life!)

SIR,

THIS night since ten of the clock I received this inclosed from his Majesty, which I send you, that by the perusal you may better understand his Highness's pleasure, than you could do by my representation.

If my cousin Mallory be with you, I pray impart it to him, for he is therein concerned in particular. You may perceive there is 500*l.* to be advanced to you, but when or where appears not; if any order come to me about it, I shall use my best diligence to hasten it after you. It seems you must not expect pay to begin from the King till you pass the confines of Yorkshire. I pray, Sir, let not that Clapham who served me, whose Christian name I remember not, command his brother's company as his lieutenant or otherwise, unless his brother will make choice of him when he comes to his company; for he that cannot command or govern himself is not fit to command others; and withall I have told him, he shall not have any command in that company unless his brother desire it, so as it will be an affront to me if he do it against my will. Let me now understand from you the several towns or places you mean to lodge at every night in your way to Carlisle, that I may send unto you if there be occasion. Thus, Sir, in haste I must abruptly end, but shall wish you all happiness and good success, and remain truly your affectionate cousin and servant,

EDWARD OSBORNE.*

York, the 24th May, 1639, *at* 11 *in the night.*

I pray return me the King's letter again by this post.

* Sir Edward Osborne was Vice-President of the North, and Lieutenant General there during the Civil War. His son was the first Duke of Leeds.

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

I HAVE this morning at three of the clock received directions from his Majesty, signified to the Vice-President, to march towards Carlisle. I am heartily sorry for the change, having taken course by my son-in-law for accommodations the other way. I shall remain all day to-morrow at Ripon, importuned by all the captains, and necessitated for stay of the rest; all companies are defective of their number. This is all I can now certify, save my request that your lordship will spare Ward a day or two, for he serves me now as a quarter-master to provide lodging and victuals.

I humbly rest your lordship's obedient son,

FER. FAIRFAX.

Knaresborough, this 25th of May, 1639.

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

To excuse my so long employing your servant Ward in this journey, I found my own so useless, and him so necessary for an office of quartering, as we had much failed of many necessaries by his absence. Now I have got a quarter-master, my cousin Waterton's son, of good skill in the mathematics and very industrious. We hold on our course to Carlisle, and have not met with many inconveniencies yet to be feared in our further travel. The Vice-President sent me 500*l.* for

paying the regiment, yet not to begin till we pass the confines of this county, which will be Thursday. We hear nothing of the Scottish affairs, nor can I now hope for that conveniency of sending I might have had from the other quarter, so often as I may. I shall not fail to write to your lordship, and now remain

Your lordship's humble and obedient son,

FER. FAIRFAX.

Richmond, this 28th of May, 1639.

SIR THOMAS WIDDRINGTON TO LORD FAIRFAX.

MY LORD,

BEING now returned from Berwick, I am desirous to give your lordship some account of my travels, but the account will fall out to be both short and imperfect. The King himself lodged at Berwick two nights, the army being planted very near him. And upon Monday last the King himself went with the army to a place called the Birke, and westwards, two miles up the river from Berwick, and there left it, where it yet remains. The army was in some want of provision in the march, which made them do much harm in the country: this want was occasioned by the negligence or ignorance of those who were to make it; but they are now well supplied. The King himself came into Berwick upon Monday night last, and lodgeth in the palace; and that same night Sir Simon Harcourt landed, and his regiment, being three thousand, landed the next morning at the Holy Island. The Earl of Holland and the horse-quarter are placed with my brother Selby at Twisell, which is a finer seat than

I could have imagined to be in that place. General Leslie himself was at Aton, within five miles of Berwick, upon Wednesday se'nnight last, being only attended with some thirty horsemen.*

It is not yet known that the Scots are drawn into any army, but they are scattered up and down the country in small companies, and are (without doubt) a multitude of people. The King's forces are not yet above fourteen thousand. Since my coming from Berwick the news are that the King hath given way to a treaty of peace between six English lords and six Scotch lords, Covenanters, and I think the meeting is past before this time; I know not what effect it hath produced. I met my brother Fairfax and his troop at Darnton upon Friday night, and saw him march from thence upon Saturday morning. I doubt I have been too long in my relations. I do again desire your pardon for them and myself, and I shall ever according to my bounden duty remain,

Your lordship's humblest servant,

THOMAS WIDDRINGTON.†

York, the 3rd of June, 1639.

I purpose (God willing) to take journey towards London on Monday next. Since I wrote these lines, I understand that the King now lies in his tent with the army, and will admit of no treaty unless his castles and houses be first given up.

* Alexander Leslie, Earl of Leven, commanded the Scotch army.

† Sir Thomas Widdrington, Recorder of York, whose fulsome address has been already noticed. He married Frances, daughter of Sir Ferdinando Fairfax. His "brother Fairfax" was Thomas, the future Parliamentary General.

TO THE RIGHT HONOURABLE MY VERY GOOD FATHER, THE LORD FAIRFAX, AT DENTON, THESE PRESENT.

MAY IT PLEASE YOUR LORDSHIP,

THIS gentleman, my lieutenant, can inform your lordship the best in what condition we are, whose absence I could not have allowed from the company, but that he affirms a great necessity for his particular estate a few hours to settle, and has promised to return on Saturday night. We want ammunition and pay, having neither powder nor match, nor money from the treasury. I have writ to the Vice-President, and often acquainted the Lord Clifford, our general here, who endeavours in our supplies, and daily looks for it.* I cannot write of any apparent danger threatened to these parts by the Scots: yet, now, upon coming over of some Irish forces, which are said to be landed, about 2000, for the carriage of whose provision the whole county is called on, I think the Scots will draw to these quarters, and we called on. This is all I can yet write; humbly resting

Your lordship's obedient son,

FER. FAIRFAX.

† *Perith, the* 11*th of June*, 1639.

The rumour mentioned by Sir Thomas Widdrington proved correct; the two armies did not meet in this unjust and unnatural warfare, and a pacification was concluded between the belligerents.

We have already shown the misinformation and the inauspicious circumstances, which marked the first

* This was Henry, the last Lord Clifford. He died in 1646, leaving no male issue.

† Perith is beyond Appleby, in Westmoreland.

determination of entering into this hostile movement, but it has hitherto remained unexplained why the conclusion was so hastily assented to by the King, without his having attained a single object for which he had unsheathed the sword. Clarendon attributes it to the wish generally expressed by the noblemen around the King, "that the business were brought to a fair treaty;" a wish which found a ready attention from one who, like Charles, was disinclined to bloodshed, and prone to irresolution. There is, no doubt, some truth in this; but it does not give us the whole truth. The following letters will throw a clearer light upon the motives which urged even those leaders who were most sincere in the cause to urge upon the King the necessity of settling his differences with the Scotch by a peaceful negociation. What other view of the case could have been taken by men who were coerced into the injustice of sustaining the war from their own private contributions?

TO MY HONOURABLE FRIEND AND COUSIN, SIR FERDINANDO FAIRFAX, KNIGHT AND COLONEL, THESE.

SIR,

I AM desirous to dispatch this messenger, my servant, unto you with such haste as I cannot enlarge myself as I would. He brings you 500*l.*, which, by directions from the Treasurer of the Army, but even now received, I am to draw of the 2600*l.* per annum, which my Lord Deputy (Lord Wentworth), Sir George Wentworth his brother, Sir George Radcliffe, and my brother Wandesford, do contribute to his Majesty's supplies during the continuance of the wars.

I must desire you to return me these two acquittances signed by yourself, the former being drawn and sent me

from Sir William Unsdall, the one to discharge me, the other to remain with him, the Treasurer, whereby to charge him upon his account.

I should most willingly move for your change to Berwick, if there were time for it, but now it is impossible, your arrival at Carlisle being expected with all speed. I believe my cousin Mallory will be called thither ere long. I pray, therefore, commend me to him, and desire him to acquaint me as speedily after his summons as may be (if I have not notice of it first), that I may advance 500*l.* for him likewise, if it be possible before he march.

I am very well pleased that you employ Mr. Clapham's brother you mention; for, as I am informed, he is appointed the captain's lieutenant by himself. But he that served me is not yet fit or worthy of a command until his carriage be better. The gold is just the same I received from Mr. ——, and he saith is all right. God of heaven speed you well, and prosper his Majesty's design! which shall ever be the prayer of, Sir,

Your affectionate cousin and servant,

ED. OSBORNE.

26th May, 1639, *at three in the afternoon.*

Before I received your letter I had acquainted Secretary Coke that you were colonel in your father's stead, because I found him ignorant thereof.

This miserable 500*l.* was all the money received by Sir Ferdinando Fairfax for the pay and provisioning of his thousand cavaliers. He thus describes his difficulties —difficulties encompassing every colonel of the royal

army,—in his endeavour to keep his men together, without money and without rations!

FOR THE RIGHT HONOURABLE THE LORD FAIRFAX, AT DENTON.

MAY IT PLEASE YOUR LORDSHIP,

WE are so shut up among the mountains, as we hear nothing from any place unless by messenger sent purposely; nor is my Lord Clifford's intelligence, for the most part, of what is done in the King's army, but from York to London. We rest still where we first settled, and exercise the regiment every day, if the weather give leave. On Thursday morning last, the hills were all covered with snow, and (if the rule hold in summer as in winter) we are like to have more, for the ribs (wreaths of snow) lie still on the mountains.* The winds for these four days would not suffer our tents to stand, but often blew them down.

Here has been a daily expectation of some Irish forces, but they are not come. The forces we have on this border are very small; four hundred of well-disciplined Irish, commanded by Sir Francis Willoughby, and six hundred of this country's bands, commanded by Sir Philip Musgrave, which is all the foot. Besides this regiment, these three counties are to find six hundred dragoons, under Colonel Trevor (whom most call Trafford), but not one of them under my Lord Clifford; nor can he have his own troop from the army, which makes us conceive the State thinks little danger of the enemy entering this way, as seems

* The writer alludes to the provincial saying, that snow which lies long is waiting for more.

by their preparations, and neglect to pay us. We had 500*l.* of advance-money sent us to Ripon, but nothing since, so as the soldiers had perished, but for the small stock was given them at their setting forwards, which is now spent; and if supply come not before Saturday next, we are in danger to disband. I must think this regiment the most miserable of all others, and myself unhappy in it, to be removed so far from his Majesty and the other regiments of my county, and to be the first put upon such straits as must either undo or dishonour ourselves and the action. I have often, both by word and writing, presented our case to the General, and he to his Excellency, but are put off every day, with fair promises of supply. If we hear nothing to-morrow from the Treasurer, I shall send the next day to his Excellency for supply or leave to return, which, if it be denied, I cannot keep them together.

I shall humbly desire your blessing,

And ever remain

Your lordship's humble and obedient son,

FER. FAIRFAX.

Perith, this 18th of June, 1639.

Sir Thomas Carleton died about four years ago. His lady is blind. She presents her service to your lordship.

The levy which had been made for the support of this burlesque expedition, pressed so heavily on the people, and was otherwise so unpopular, that in numerous cases the returns made to the commissioners appointed to collect the tax, represented the recusants to be in

such a state of poverty, that they were unable to contribute in the smallest amount. Mr. Charles Suckling, of Woodton, the uncle of the poet, being charged 17*l.* 3*s.* 10*d.*, sent back this cautious answer: "Charles Suckling, Esq., his answer is, that he doe not refuse to paye, but he have no munny." In some cases, the people declared that, "in tradinge, times are soe hard, that they can skerslie mayntayne their charge and famylie;" and "others," as recorded by the returns, "give no answer, and are not to be spoken with." The oppression to which the people had been subjected, had already reduced them to extremities; but there was, in addition to the necessity of the case, a strong and general reluctance to assist the King. The result was, that by the time the army found itself on the banks of the Tweed, where one who was present humorously says they were "walking up and down like the Tower lions in their cages, leaving the people to think what they would do if they were let loose," their resources were nearly exhausted. It is hardly necessary to look farther for an explanation of the advice given to his Majesty by noblemen and gentlemen who could no longer afford to pay for an enterprise, of which, some of them at least, disapproved. "There are some, sir, here," says Suckling, "that have an opinion, necessity, not good-nature, produced this treaty."

The deficiency in the military chest and in the commissariat was not felt by Fairfax's regiment only, but by the entire army, and the discontent and disaffection were proportionate. Unsatisfied as to the justice of their cause, ill-fed and unpaid, the generals dared not lead them into action, even when brought into the

presence of their opponents. The first and only time that they were thus confronted was at Kelso.*

On this occasion the Earl of Holland advanced with a train of artillery, 2000 horse and as many foot soldiers, to that village where the Scots had gathered under General Leslie, ill-armed, mostly country people, and in numbers variously estimated at from 1500 to 6000. Assuming the larger number to be the correct estimate, and admitting that our cavalry had outmarched the infantry, yet a halt of a few hours would have effected a junction, and the English army might then have been spared the ridicule and the depression insured by such a miserable finale. A trumpeter from the Scots obtained admission to ask the obviously needless question—"Who are ye, who come in such war-like array into our country?" and then my Lord of Holland sent his trumpeter to desire that they, the Scots, would retreat! "They asked," says Sir Harry Vane, "whose trumpet he was?" and upon his replying, "My Lord Holland's," they told him, "It were best for him to be gone," and his lordship evidently thought so too, for he fell back forthwith upon Berwick. These unsuccessful attempts, says Rushworth, gave great discouragement to the King's army; and the murmurs of the private soldiers were for some honourable movement, rather than to lie exposed to privation and the inroads of disease.†

* Clarendon is in error, both as to the time and place at which this meeting occurred. He states that it was at Dunce, in the month of August, whereas it was at the place above-named, and on the 3d of June. It is quite true a similar advance had been made to Dunce, but then no enemy was met with.

† Rushworth, II. 936; Nalson, I. 231. These authorities state that Lord Holland's force comprised one thousand horse and three thousand foot. Baillie says, "His (Holland's) soldiers that day were a great deal more nimble in their

This disgraceful retreat has acquired more notoriety from the famous lampoon of Sir John Mennis upon a contemporary poet, Sir John Suckling, who was engaged upon the occasion, than from any importance attached to it by history.* Sir John Suckling, with most loyal munificence, presented his Majesty with a troop of one hundred horsemen, which he clothed and maintained at his own expense. The uniform he adopted for them exposed him to the unmerciful ridicule of the satirist—white doublets, with scarlet coats, breeches, and hats, and a feather of the same colour stuck in each man's bonnet. The organisation of this body was said to have cost no less than 12,000*l.*, a sum which, taking into consideration the value of money at that period, must be an absurd exaggeration, unless it was meant to include the pay and maintenance of the men during the entire term of their service. The injustice of the lampoon in attributing special cowardice to Suckling is manifest enough. He merely shared the disgrace of the whole army, which fled *en masse.* His troop formed too insignificant a portion of the whole to be distinguished by its poltroonery from the rest. The real odium of the affair rested with Lord Holland, who ordered the retreat; a general described by Sir Philip Warwick as "fitter for a show than a field."

The total discomfiture of the army—the sudden flight—the visible unwillingness of the troops to retrieve an infamy which Englishmen have never borne with patience, convinced the King at last that the war was

legs than arms, except their cavaliers, whose right arms were no less weary in whipping than their heels in jading (spurring) their horses."

* "Sir John he got on an ambling nag," &c.

unpopular, and that all further attempts to force Episcopacy upon the consciences of the Scotch would prove to be hopeless. And so, with reluctant and dogged submission, he set himself about the task of endeavouring to make terms on the spot where he had arrogantly expected to dictate them.

Not a day was now allowed to be lost without an effort to bring about a satisfactory negociation. But this resolution was not wholly free from the suspicion of being controlled by fear as well as necessity, for the messenger summoning the Marquis Hamilton to council on pacific measures, might have caught sight in his backward glance of the Leslie banners, that transmitted confusion and dismay even to the royal pavilion. His Majesty and all his gallant cavaliers had been in arms that morning, and scarcely had the parade passed off, and the horses been uncaparisoned, when Sir John Biron rode through the camp, nor did he check his speed until he reached the royal pavilion, and announced the alarming intelligence that the Scottish clans were advancing within sight. The King, less excited than his informant, viewed his tartaned adversaries through his glass, and observed that their colours were not advancing, but that their tents were pitched. Then turning to the scout-master, he said with bitterness, "Have not I good intelligence when the rebels can encamp within sight, and I not have a word of it until the body of their army give the alarm?" Roger Widdrington, the scout-master, bore the blame of this surprise, and the vulgar mind condemned him rather than his emissaries, "because he was a Papist."

Baillie, who was with the Scotch army, says that the King over-estimated it at 16,000 or 18,000 men, for that

it was no more than 12,000; but, he adds, "It would have done you good to have cast your eyes athwart our brave and rich hill, as oft as I did, with great contentment and joy, for I (quoth the wren) was there among the rest, being chosen preacher by the gentlemen of our shire, who came late with my Lord of Eglinton. I furnished to half-a-dozen of good fellows muskets and picks, and to my boy a broad sword. I carried myself, as the fashion was, a sword and a couple of Dutch pistols at my saddle; but I promise, for the offence of no man, except a robber in the way; for it was our part alone to pray and preach for the encouragement of our countrymen, which I did to my power most cheerfully.

"Our hill was garnished on the top, towards the south and east, with our mounted cannon, well near to the number of forty, great and small. Our regiments lay on the sides of the hill, almost round about; the place was not a mile in circle, a pretty round rising in a declivity, without steepness, to the height of a bow-shot; on the top somewhat plain, about a quarter of a mile in length, and as much in breadth, as I remember, capable of tents for 40,000 men. The crowners (colonels) lay in kennous (canvass) lodges, high and wide; their captains about them in lesser ones, the soldiers about all in huts of timber, covered with divott (turf) or straw. Our crowners, for the most part, were noblemen: Rothes, Lindsay, Sinclair, had among them two full regiments at least from Fife; Balcarras, a horse troop; Loudon, Montgomery, Erskine, Boyd, Fleming, Kirkcudbright, Yester, Dalhousie, Eglinton, Cassillis, and others, either with whole or half regiments. Montrose's regiment was above 1500 men in the castle of Edinburgh: himself was expected; but what detained him ye shall hear at

once. Argyle was sent for to the treaty of peace; for without him none would mint (attempt) to treat: he came and set up his tent on the hill; but few of his people with him. It was thought meet that he and his should lie about Stirling, in the heart of the country, to be always ready in subsidies for unexpected accidents; to be a terror to our neutralists, or but masked friends; to make all without din march forward, lest his uncanny trewesmen (Highlanders) should light on to call them up in their rear; always to have one eye what either the north, or the ships, or the west, or our staill (numerous) host should mister (need) of help.

"It was thought the country of England was more afraid for the barbarity of his Highlanders than of any other terror. Those of the English that came to visit our camp, did gaze much with admiration upon these souple (active) fellows, with their plaids, targes (shields) and dorlachs (short swords or daggers). There were some companies of them under Captain Buchanan, and others in Erskine's regiment. Our captains, for the most part, barons or gentlemen of good note; our lieutenants almost all soldiers, who had served over sea in good charges; every company had, flying at the captain's tent door, a brave new colour stamped with the Scottish arms, and this ditton—FOR CHRIST'S CROWN AND COVENANT—in golden letters.

"Our general had a brave royal tent, but it was not set up; his constant guard was some hundreds of our lawyers, musqueteers, under Durie and Hope's command, all the way standing in good arms, with cocked matches, before his gate, well apparelled. He lay at the foot of the hill in the Castle, with Baylie, his Sergeant

Major or Lieutenant General. That place was destined for Almond,* in whose wisdom and valour we had but too much confidence; yet in the time of our most need, the grievousness of his gravel, or the pretence of it, made him go to France to be cut. Always (nevertheless) when he came there, it was found he needed not incision, so he past to his charge in Holland, where to us he was as dead in all our dangers.

"The councils of war were kept daily in the Castle; the ecclesiastical meetings in Rothes's large tent. The General, with Baylie, came nightly for the setting of the (watch) on their horses. Our soldiers were all lusty and full of courage; the most of them stout young ploughmen; great cheerfulness in the face of all. The only difficulty was to get them dollars or two the man, for their voyage from home, and the time they entered in pay; for among our yeomen, money at any time, let be then, uses to be very scarce, but once having entered on the common pay, their sixpence a day, they were galliard (brisk, lively). None of our gentlemen were anything worse of lying some weeks together in their cloak and boots on the ground, or standing all night in arms in the greatest storm. Whiles (sometimes) through storm of weather, and neglect of the commissaries, our bread would be too long in coming, which made some of the Eastland soldiers half mutiny; but at once order being taken for our victuals from Edinburgh, East Lothian, and the country about us, we were answered better than we could have been at home. Our meanest soldiers were always served in wheat bread, and a groat would have gotten them a lamb-leg, which was a

* Sir James, afterwards Lord Livingstone of Almond.

dainty world to the most of them. There had been one extraordinary crop in that country the former year, beside abundance which still was stolen away to the English camp for great prices. We would have feared no inlake (deficiency) for little money in some months to come. March and Teviotdale are the best mixed and most plentiful shires both for grass and corn, for flesh and bread, in all our land. We were much obliged to the town of Edinburgh for monies. Harry Rollock, by his sermons, moved them to shake out their purses; the garners of non-covenanters, especially of James Maxwell and my Lord Wintoun, gave us plenty of wheat.

"One of our ordinances was to seize on the tents of non-covenanters; for we thought it but reasonable, frae (since) they sided with those who put our lives and our lands for ever, to seile (take) for the defence of our church and country, to employ for that cause (wherein their interest was as great as ours, if they would be Scottish men) a part of their rent for one year; but for all that, few of them did incur any loss by that our decreit (sentence), for the peace prevented the execution.

"Our soldiers grew in experience of arms, in courage, in favour daily; every one encouraged another; the sight of the nobles and their beloved pastors daily raised their hearts; the good sermons and prayers, morning and even, under the roof of heaven, to which their drums did call them for bells; the remonstrances very frequent of the goodness of their cause; of their conduct hitherto, by a hand clearly divine; also Leslie his skill and fortoun (success), made them all so resolute for battle as could be wished. We were feared that emulation among

our nobles might have done harm, when they should be met in the fields; but such was the wisdom and authority of that old, little, crooked soldier, (Leslie,) that all with one incredible submission, from the beginning to the end, gave over themselves to be guided by him, as if he had been Great Solomon. Certainly the obedience of our nobles to that man's advices was as great as their forbears (predecessors or ancestors) wont to be to their King's commands; yet that was the man's understanding of our Scots' humours, that gave out not only to the nobles, but to very mean gentlemen, his directions in a very homely and simple form, as if they had been but the advices of their neighbour and companion; for, as he rightly observed, a difference should be used in commanding soldiers of fortune, and of soldiers volunteers, of which kind the most part of our camp did stand. He kept daily in the Castle of Dunce an honourable table for the nobles and strangers with himself, for gentlemen waiters thereafter, at a long side-table.

"I had the honour, by accident, one day to be his chaplain at table, on his left hand; the fare was as became a general in time of war: not so curious by far as Arundel's to our nobles; but ye know that the English sumptuosity both in war and peace, is despised by all their neighbours. It seems our general's table was on his own charge, for, so far as I yet know, neither he, nor any noble or gentleman of considerable rent, got anything for their charge. Well I know that Eglinton, our crowner, entertained all the gentlemen of note that were with him at his own table, all the time of our abode; and his son, Montgomery, kept with him very often the chief officers of his regiments, for this was a

voyage wherein we were glad to bestow our lives, let be our estates.

"Had ye lent your ear in the morning, or especially at even, and heard in the tents the sound of some singing psalms, some praying, and some reading Scripture, ye would have been refreshed: true there was swearing and cursing and brawling in some quarters, whereat we were grieved; but we hoped, if our camp had been a little settled, to have gotten some way for these mis-orders, for all of any fashion did regret, and all did promise to contribute their best endeavours for helping all abuses. For myself, I never found my mind in better temper than it was all that time frae (since) I came from home, till my head was again homeward; for I was as a man who had taken my leave from the world, and was resolved to die in that service without return. I found the favour of God shining upon me, and a sweet, meek, humble, yet strong and vehement spirit leading me all along; but I was no sooner in my way westward, after the conclusion of peace, than my old security returned."

The wary Scots were not unwilling to seek for liberty of conscience by negociation. They acted from the conviction that treaties are most successfully pursued by those who are prepared to strike; and the result proved that they were right. Their messenger arrived whilst the royal camp had not yet recovered from the panic, and he demanded a conference for the purpose of arranging that peace which was only fitting to subsist between people whom God had "joined in one island under one King." * The request was granted, and the King

* The measure of sending a messenger, even when the armies were almost

appointed June the 10th "at eight of the clock in the morning," and the Earl of Arundel's tent as the fitting time and place for opening the negociation, but it was not entered upon until the day following.*

Never did the King's mental powers appear more conspicuously pre-eminent than upon that occasion. The Scotch deputies, the Earls of Rothes and Dunfermline, Lord Loudon, Sir William Douglas, Alexander Henderson, and Archibald Johnston, had arrived in the Earl of Arundel's tent, and were in conference with him and the Earls of Essex, Salisbury, Holland, and Berkshire, who, with Sir Henry Vane and Mr. Secretary Cooke, were the representatives of England, when Charles, unannounced and unexpected, entered the tent and took his seat at the table. It was a politic and courteous step, for he assigned this reason to the Scotch deputies for his presence: "You have complained, my lords, that your desires are not heard; therefore I have come myself that you may be certain of an audience." They at once, with firmness but courtesy, asked for the quiet enjoyment of their religion and liberties, and were proceeding to sustain by argument this petition, when his Majesty said there was no need for this, but that it would be better for them "to set

within gun-shot of each other, seems to have been determined upon by the Scotch, after a suggestion sent to them from the royal camp. Baillie records that one of the King's pages, named Robin Leslie, who had been long in his service, was allowed to visit the tents of the Covenanters, on the pretence of visiting some friends, but with instructions to intimate that a proposal for peace, probably, would not be fruitless. The King at first demanded that before the treaty was commenced, "an evil Proclamation" should be read at the head of the Scotch troops, but this being declined, he was content to consider his demand satisfied by its being read, "with much reverence, at the General's table."—*Baillie's Letters*, I. 215.

* Rushworth, III. 940.

down their desires in writing, and in writing they should receive his answer." The document embracing these desires is brief, and was furnished on the instant, for they asked only for a general amnesty, and "that all matters ecclesiastical might be determined by the Kirk, and matters civil by Parliament." The King asked for the reasons by which they sustained their proposals, but they were not prepared to endanger their cause by such an undigested advocacy as must have been risked by reducing those reasons to paper on the instant, and Charles disclaiming any desire to compromise them, named the day after the morrow as that on which they should furnish "the grounds and reasons of their desires." "Your Majesty," replied Lord Loudon, "our desires are only to enjoy our religion and liberties according to the ecclesiastical and civil laws of the kingdom;" and at the suggestion of Charles this just demand of every freeman was written and subscribed by the sturdy Scottish chancellor.

The King then closed the conference, which was sufficiently brief, considering that the negociation was so important; for it commenced at ten, and by two dinner had been served, and "those of Scotland departed towards their camp."*

Other conferences followed, but finally the King assented to nearly all that the Scotch requested, giving his reasons in a declaration set forth fully in Rushworth, and which, be it remembered, was signed by the King

* Rushworth, III. 941. D'Israeli, in his "Commentaries," gives some extracts of the conversation between Charles and the Scotch Commissioners, but does not state whence he makes the quotation. They are taken from the *Hardwicke State Papers*, II. 130.

in his own pavilion on the 18th of June, and countersigned copies were interchanged by the commissioners.

We thus impress the fact upon our readers because Charles basely dared to deny the authenticity of the terms of pacification, and his apologist, Clarendon, has forborne to state the truth, and would lead his readers to imply a falsehood had been asserted, by saying that at the conference "the most material matters passed in discourse and very little committed to writing."*

The following letter from Captain Thomas Fairfax, to Lady Vere, his wife's mother, expresses no more satisfaction than was felt by all the right-thinking men of both parties, at this termination of the threatened hostilities.

FROM CAPTAIN THOMAS FAIRFAX TO LADY VERE.

MADAM,

I THINK I need not relate to your ladyship what hath passed in these northern parts lately, for the joy of the happy success of peace which hath already been gladly entertained in the hearts of good subjects; and scarce was there any that had an ear to hear it which had not a heart to praise God for it, and I beseech God he would be pleased to preserve it from a relapse, which, if it were in the power of some, I might fear it would fall into. But, however, we think the King will not return to London till after the Parliament, his presence there will be very necessary to its success. But, Madam, I find myself so impressed to your ladyship by your favours, as I must leave the Scots' affair

* Clarendon's Rebellion, I. 98.

for other to inform your ladyship in, and acknowledge my particular obligations to your goodness for the care your ladyship was pleased to have of me this journey, which, I thank God, I found no inconvenience by, and for those continual cfiarges your ladyship is at for us and our little one,* which is more than we can desire. For methinks I am far short of that service to your ladyship as that your ladyship should benefit by it; though I want that to deserve the favours of your ladyship, I will never be wanting to confess I hold more by obligation than merit the honour of being, Madam,

Your ladyship's most obedient son
and humble servant,
T. FAIRFAX.

* This was Mary, afterwards so unhappily married to the Duke of Buckingham. The only other issue of the Parliamentary General was another daughter, Anne, born in 1640, who died and was buried at Denton, in 1642.—*Fairfax MSS.*

CHAPTER X.

Renewal of hostilities—Charles breaks his promise of attending the Scotch Parliament—Summons the leaders of the Covenanters to Berwick—Strafford's duplicity—Scotch Assembly—King's declaration denied to be genuine—Scotch Commissioners visit London—Articles of Pacification—Mutual mistrust—Scotch apply to France for aid—Letter intercepted—Scotch Commissioners imprisoned—Meeting of "The Short Parliament"—Sir J. Culpepper's satire on monopolies—Strafford arrives in London—Rumours as to the cause of his coming—Character of the Parliament—Lord Keeper's opening address—Grievances examined—Parliament lectured—Subsidies asked for—*Bellum Episcopale*—Hyde's motion for a supply—Sir H. Vane's indiscretion—Dissolution threatened—Hyde's interview with Laud—Strafford advises a dissolution—Parliament dissolved—Charles wishes its recall—Supplies again raised illegally—Dr Juxon's letter—Subsidies levied (?)—Letter of Charles Fairfax—Members of Parliament imprisoned.

THAT "relapse" to war, which Fairfax foresaw it was the inclination of some in authority to effect, unfortunately occurred. It was foreseen also by the leading Covenanters, and one of them thus wrote at the very time of this apparent pacification:—"I perceive that his Majesty heareth reason patiently, and is ready to yield unto it, but that there are some about his chair who continually labour to foment some bad principles of policy and church government which they have planted in his mind. If his Majesty shall honour the approaching assembly with his personal presence all matters may go right."*

That personal attendance, "God willing," the King

* Dalrymple's Memorials, II. 69.

had promised, but he listened to other advisers, and withdrew to London.

Laud feared the consequences of Charles observing personally the universal opposition to Episcopacy, and Strafford equally averse from being defeated in any measure of which he had been the partisan, wrote thus to the King:—"It was writ to me from good hands out of England, that it was thought your Majesty intends to go to Edinburgh, and to be present at their Parliament in person. Sir, the reading of it went as cold to my heart as lead; and the consequences of such an assurance fright me to think of them."*

The excuse offered for this breach of promise was, that the Covenanters did not show confidence in his Majesty; and, if they did not, subsequent events certainly justified their wariness. Previously to the meeting of the Synod promised by the King to be assembled, he commanded fourteen of the leading Peers of the Covenanters to attend him at Berwick. For what purpose could that attendance be required? The true answer must be gathered from the fact, that of the six Scotch noblemen who did attend the summons—noblemen selected for their staunch adherence to the cause of the Covenant—one, Montrose, was seduced to join the royal party.†

The truth seems to be that Charles's most influential advisers opposed his attendance at the Scottish assemblies, and already hinted that the warfare against that people was not to be considered as concluded. Thus

* Nalson's Collection, I. 209.

† The six peers were the Earls of Dunfermline, Rothes, Lothian, and Montrose, with Lords Lindsay and Loudon.—*Napier's Life of Montrose*, 116.

Strafford writing to him on the 3rd of July, says, that he shall still go on raising troops, and advises that the fortifications of Berwick, Carlisle, and Leith be strengthened, and concludes with warning the King that the Scotch "are not to be trusted with his sacred person over early, if at all." Upon this and other points the Earl wished to urge more than he chose to commit to paper, so he entrusted the letter to Sir Henry Bruce, from whom, he said, his Majesty "might be fully satisfied in all particulars."*

Duplicity pervaded too many passages of the King's conduct in this contest with his Scottish subjects, and at every turn we see more cause to wonder at Charles's hopes that he should be trusted, than surprise at the want of confidence reposed in his declarations. Thus to the Earl of Traquair, deputed to be the King's commissioner at the Edinburgh Assembly, instructions were given to assent to the abolition of Episcopacy, and even that it might be abjured, "as contrary to the constitution of the Church of Scotland." But let no one be deceived so far as to think that Charles was sincere in this; for at that time, almost at the very date, he wrote to the Metropolitan of Scotland in these words:—"We may give way for the present to that which will be prejudicial both to the Church and our own government, yet we shall not leave thinking in time how to remedy both."†

It is quite clear from the course pursued by the Royal Commissioner at Edinburgh and the King himself at London, that there was a determination not to carry into effect the declaration and articles he had

* Rushworth, III. 947. † Ibid. III. 952.

signed. At Edinburgh the Royal Commissioner gave his assent to the act of the Assembly, declaring, in accordance with the King's instructions, that Episcopacy was unlawful; but this was advancing further than it was his royal master's intention that he should proceed, and of this he was forthwith advised by the Marquis of Hamilton, who told him "the word 'unlawful' has infinitely distressed his Majesty, as you will find by his own letter, and you will do well to think how to relieve it."* And the only thought possible to the Earl was that which he adopted, namely, repeatedly to prorogue the Parliament, which would undoubtedly confirm the declaration of the Assembly, if allowed to take it into consideration. Tumults and riots were the natural results so soon as the Covenanters perceived the shuffling course adopted by the King's Commissioner, and when a sub-commission was issued to prorogue the Parliament, the latter denied the sub-commissioner's power.

In London the Privy Council pursued a course equally evasive and deceptive. They did not dare to condemn or deny the declaration or articles the King had signed—they dared not even to name them, but they condemned to be burnt by the common hangman "a paper" containing "Some conditions of his Majesty's Treaty with his subjects in Scotland," shrewdly concluding that the uninformed people of England would thence infer that no truer documents existed, and it was this misconception the royalists intended to propagate, or they would have acknowledged and promulgated the true at the same time that they condemned the false to the flames. They knew that the King's sign-manual

* Aiton's Life of Henderson.

was upon the true articles of pacification; articles which Lord Loudon reminded his Majesty, when pleading before him in council, he had "graciously promised to perform," and beyond which articles the Scotch had no other objects "but such as might serve for establishing the religion and peace of the kingdom agreeably to its fundamental laws."* Neither at that, nor during any subsequent interview, was the existence of the "Articles of Pacification" denied, and they were frequently appealed to by the Scotch Commissioners.

The mission of these commissioners failed of its object, and they returned to the Parliament from which they were sent, with no more pacificatory answer than that, they "had not power nor commission to give his Majesty satisfaction." Taken in its literal sense, this we may believe was true; for it could be no satisfaction for his Majesty to be reminded of articles of pacification signed by him, from which he was determined to recede.

The continued appeal made by the Scotch commissioners to the articles of pacification at length extorted their recognition from the King in an explicit declaration, made public by him some time in the March of 1640. In this he endeavoured to justify his non-abidance by the articles he had signed, by alleging that the Scotch Assembly asked for more than those articles contained. Why then were not the promised compliances carried out, and the objectionable demands, if any, rejected? But if the acts proposed by the Assembly are examined, it will be found that not one of them was more than carrying into operation the articles which the King had signed. In Scotland, Episcopacy

* Rushworth, III. 997.

was to be abolished, and, as a consequence, it was asked that bishops should have no seat in its Parliament. This was the most important legislative enactment required, and so far from being unreasonable, was a necessary conclusion of the other. The complaint made by the King, that the Scotch still retained officers in their pay, and had not dismantled certain fortresses as stipulated in the articles of pacification, would have been a good plea for not carrying them into effect, if he had not been guilty himself of a similar infraction. We have seen what Strafford was doing in Ireland; and for a like purpose, (renewal of the war), the military precautions he advised to be taken in the north of England were strictly adopted. There is no necessity for the advocate of either party to conceal the fact, that each was distrustful of the other, and as indubitable is it, that the Scots acted wisely to be prepared against that breach of faith which they were justified in anticipating in their adversary.

When war appeared inevitable, the Scotch had sought aid from the French King; and that sovereign's chief adviser, Cardinal Richelieu, would have had no compunctions to check him from embarrassing those who had been his private rivals as well as those of his country, even if Charles had not aided the Hugonots in their contest with their sovereign. The English King had given that aid, though the contest was against the authority of his father-in-law—he had given that aid to those seeking for liberty of conscience. He had no just ground for complaint, therefore, when Louis the Fourteenth aided those subjects who were struggling for the same liberty against himself. The aid afforded the

Covenanters was chiefly in the form of arms, and was proffered before it was sought for. In November, 1637, Richelieu had sent M. D'Estrades to London to sue for neutrality on the part of England during the threatened contest between France and Flanders. Charles declined to stand pledged to neutrality, and D'Estrades consequently advised Richelieu to encourage the Scotch malcontents, who had a good understanding with those in England, and by thus engaging at home the powers of this country, she would have less ability to interfere with the affairs of her neighbours. "I will profit by your advice," replied the Cardinal; "the Abbé Chambre, my almoner, who is a Scot, shall proceed thither; and the year shall not pass before the King and Queen of England shall regret having refused the offers made to them."*

That mission was accomplished; and when hostilities were imminent, the Covenanters applied for aid to France, and the letter which their envoy carried with him from them was signed by seven of their leaders, and among those signatures was that of Lord Loudon. It is certain that that letter reached the French King, though a duplicate of it was intercepted by the emissaries of Charles.† Assuming that sending such a letter was treasonable, yet Charles had assented to an act of oblivion, and had treated with the Scotch Commissioners after that letter had come to his knowledge. Notwithstanding these facts, demonstrative that no accusation was intended to be founded upon that letter, in March, just previously to the meeting of Parliament, Lord Loudon was

* Lettres d'Estrades, I. 10.

† Mazure's Histoire de la Revolution, III. 402.

committed to the Tower, and his three brother commissioners to other custody. To Secretary Windebanke was confided their examination, but he obtained no inculpatory information, and as the English Parliament did not entertain seriously the charge preferred against them, they were soon after discharged from custody.*

Having resolved upon a war with Scotland, and conscious of the consequences of the deficiency of money during the former advance towards the northern frontier, every device was now adopted which promised to furnish the sinews of war without the necessity of recourse to a Parliament. "These," said Sir John Culpepper (alluding to the duties upon wines, tavern licenses to dress meat, upon coals, and the monopolies of soap, salt, cards, dice, hats, lace, pins, &c.)—"these, like the frogs of Egypt, have gotten possession of our dwellings, and we have scarcely a room free from them. They sip in our cup; they dip in our dish; they sit by our fire; we find them in the dye-vat, washing-bowl, and powdering-box. They share with the butler in his box. They have marked us and sealed us from head to foot. They will not bate us a pin."† Nor were these the only modes of exaction. We have seen, that all individuals having a certain amount of estate were fined if they refused to be knighted, and if they did submit to the distinction the King's exchequer benefited by the consequent fees; that fines under the obsolete Forest Laws were also levied; and, though less oppressive, yet better known from its consequences, that the now celebrated impost of Ship-money was sought

* May's History of the Parliament, 56; Rushworth, III. 1120.

† Ibid. III. 917.

to be enforced. All these resources failing, the hope that the dread and the hatred towards foreign invasion felt by Englishmen would sour them towards the Scotch, induced the King to assemble the Parliament on the 13th of April, 1640.

In the November previous to that assembly the Earl of Strafford arrived in London, having been summoned thither from Ireland by a letter from the King, in which were the significant words, "I have too much cause to desire your counsel and attendance for some time, which, more than this, I think not fit to express by letter. The Scots' covenant begins to spread too far."* The Earl's coming agitated all parties; for friends and enemies alike acknowledged his superior energy and ability. Some ventured to hope, that, having established an influence with the King, he would now direct that influence to the furtherance of "those first right principles" of which, in earlier life, he had been the strenuous advocate. Others, judging from the surer data of facts, mindful of his stern administration in Ireland, and remembering that the proselyte from liberty to despotism is never less rigid than those who win him to his new creed, feared "that he was only sent to complete that bad work, which others, of less brain than he, had begun."†

The foreboders of evil were correct; Strafford was for coercion—"Let the Scots be well whipped into their right senses," was his advice;‡ and this, coinciding with the wish of Laud and the episcopal party, prevailed. War against the Covenanters was resolved to be renewed; but then arose the question whence the supplies

* Strafford's Letters and Despatches, II. 372.

† May's History of the Parliament, 54. ‡ Strafford's Letters, II. 138.

necessary for its prosecution were to be forthcoming? Strafford hastened back to Ireland, and returned with a grant from its Parliament of subsidies and soldiers, nearly a fortnight before the English Parliament had been opened.*

The English Parliament was not in such haste to draw the sword in the cause of intolerance, as were its Roman Catholic brethren. A list of its members will be found in Rushworth, and he who scans that list attentively will perceive, even at this distance of time, when history, not party feeling, must guide the judgment, that Lord Clarendon was right in his opinion, that "the House was as well constituted and disposed, as ever House of Commons was, or would be, and that the number of the disaffected was very small."†

The Lord Keeper, Finch, warned the Parliament, in what may be considered the Speech from the Throne, for it was delivered by the command and in the presence of the King, that they were summoned to grant supplies for the effectual prosecution of the Scotch war, and that if they granted these speedily, they should then be permitted abundant time to deliberate upon other measures for the good of the commonwealth. This order of proceeding was not in unison with that dictated by the discretion of the House of Commons, and after the receipt of numerous petitions, complaining of the imposition of Ship-money, the oppression of monopolies, and of the tyranny in the Courts of High Commission and

* Strafford's Letters, II. 403. His lordship certainly managed to impart extraordinary expedition to what should be the Irish deliberative wisdom; for he only left London on the 16th of March, and was back on the 4th of April.

† Clarendon's Autobiography, 38.

Star Chamber, it was very clear, even on that first day of its sitting, that the House agreed with Mr. Harbottle Grimston in thinking the dangers and evils within the realm were more imminent than those from without. —"The danger presented to the House standeth at a distance; but the case which I shall put is of great danger near at home, and the more dangerous because home-bred and running in the veins."

They acted accordingly, and were proceeding to a statement and petition for the removal of all such grievances as pressed illegally upon the people, when they were summoned within a week after the commencement of their sitting to meet his Majesty in the Banqueting House. The Lord Keeper, Finch, was again his Majesty's mouthpiece,* and demonstrated the urgent necessity for a speedy supply, at the same time promising in words that no language could strengthen, that after their granting that request, "nothing they should propound for the security of their property and liberties, but that he would be as willing to grant as they to ask."†

Unmoved by these representations, disregarding the fact that the Scotch had already commenced hostilities by making prisoners of some of our soldiers, and resenting an attempt of the House of Lords to induce them to grant a supply, they pursued without deviation their first course, and persisted in arranging their catalogue of grievances. In vain did the King urge, "that in civility and good manners, as well as necessity, it was fit for him to be trusted first," and in vain did the Peers,

* The frequency of the King's employing others to speak for him arose, probably, from the hesitation or stammering to which his voice was liable.

† Rushworth, III. 1139.

with good aristocratic feeling, observe, that "they had the word of not only a King but a gentleman." The King then tried to compromise the difference, by suggesting through Sir Henry Vane, that if they would grant twelve subsidies, payable in three years, he would consent to the abolition of Ship-money, and give them ample time for the consideration of the national grievances.

It is evident that the House could not consent to purchase the redress of oppressions in the mode proposed, for it was wisely observed that "purchasing a release from an illegal imposition would imply an acknowledgment that it was just." The majority of the House thought the amount asked for was much too large; indeed few, says Clarendon, thought otherwise, "except those of the Court, who were ready to give all that the King required, having but little to give of their own." The debate was protracted long beyond the usual hour, yet "not an angry or offensive word spoken," if the taunt of some little-known country gentleman be excepted, that "the supply was for sustaining *Bellum Episcopale*, which it was most fitting for the Bishops to do themselves."

The party most strongly opposed to the Court, headed by Hampden, desired that the question might be put, "Will the House consent to the proposition made by the King, as contained in the message delivered by Sir Henry Vane?" But the moderate party, at the suggestion of Mr. Hyde, member for Wotton Basset, (afterwards Lord Clarendon), moved as an amendment, that the question be, "Shall a supply be granted to the King?" Upon this every member might frankly give his Aye or No; but upon the other question, many who would vote for

a supply would have to give their vote negatively, because they thought, either that the message asked too much, or that a supply should not be bartered for a suppression of injustice. There was some confusion, but the call for "*Mr. Hyde's question* appeared much the strongest;" and there is reason to believe that it would have been carried, had it not been opposed by Sir Edward Herbert, the Solicitor General, and Sir Henry Vane, then both Secretary of State and Treasurer. The speech of the latter crushed the exertions of the moderate party, for he declared "the carrying of Mr. Hyde's question could be of no use, for he had authority to say, that if the supply were not voted in the proportion and manner proposed in the King's message it would not be accepted." The wisest course now open to the moderate party was to move an adjournment; and "it being near five of the clock in the afternoon, and everybody weary, it was willingly consented to."*

Mr. Hyde heard and saw enough to convince him, that a dissolution was impending over the Parliament, and conscious of the rashness of such a resolve, he hastened to Lambeth Palace and sought an interview with Laud. He found the Archbishop walking in his garden, thoughtful and dispirited, for he had already heard of the proceedings on the opposite shore of the river. Hyde warned him against the error of dissolving the Parliament, because its speed in granting a supply did not keep pace with the impatience of the Court; gave that high character of the members which has already been mentioned; and concluded with the assurance, that though there might be delay, yet

* Clarendon's History of the Rebellion, I. 110.

"their good inclinations and desire to serve the King could not be prevented." Laud heard him without interruption, but his reply evinced that the cast had been resolved upon. The throw was fatal, but upon whom rested the responsibility of standing this hazard of the die remained yet in uncertainty. Laud said he would not advocate either course; a neutrality that would have been base even in a less responsible adviser of the Crown, but it is evident he favoured the dissolution. The war was his own;—he declared his distrust of the Commons' love for either King or Church; and added, that until they were dissolved "the King could not enter upon other counsels."* Ludlow says, that Strafford was the most strenuous adviser of the dissolution, and it assuredly savours of the proud spirit and hasty hand of that daring statesman.†

Three weeks after its assembly, May 5th, the Parliament was dissolved, and the enemies of the King rejoiced in this still more advanced step in his unconstitutional course, which must hasten its close, and which was calculated still more to steel the resolves of those who in the day of reckoning prevailed. Within an hour after the dissolution, the usually gloomy and taciturn Mr. St. John was met, all smiles and communicative, by Hyde. The latter expressed his deep regret, "that in such a time of confusion so wise a Parliament was so unseasonably dismissed;" but St. John emphatically replied, that "all was well, for things must be worse before they could be better; and this Parliament could never have done what was necessary."

The King repented, as was characteristic of him, when it was too late, and sought in vain to retrace his steps.

* Clarendon's Autobiography, 38. † Ludlow's Memoirs, I. 9.

Anger had dictated the extremest mark of displeasure, and the Parliament, which might have been prorogued, was dissolved. Within eight-and-forty hours, he wished, by a proclamation, to reassemble the dismissed members, but learned, with useless regret, that there was no resuscitation for a Parliament defunct.*

To summon a new Parliament was too tardy a measure to be suggested or tolerated by his own or his advisers' ardent impulses, but the resolve was easier to return with more vigour to former courses for raising supplies. That return had even preceded the dissolution, for the Lord Treasurer, Bishop Juxon, pursuing the illegal modes of raising money even while the Parliament was sitting, ventured to write as follows, on the 18th of April, to Sir R. Wynn.

SIR,—I am commanded by his Majesty to let you know that he hath given me a peremptory direction to call upon certain persons that are to lend him money, to the end they may bring in the same for supply of his great occasions, within these ten days at furthest, amongst which number you are one. I thought fit, therefore, to acquaint you with his Majesty's pleasure, and the furthest limit of time he hath given for performance thereof, desiring you not to fail in the payment of the sum of 3000*l.* expected from you, within that time, otherwise I shall discharge myself to his Majesty upon this advertisement, and the blame will fall where it is not wished by

Your very loving friend,

GUL. LONDON.

London House, the 18th of April, 1640.

* Clarendon's History of the Rebellion, I. 111.

Nor was this all; for at the same time the King proceeded to levy subsidies, and his commissioners for that purpose were active at the very time the above letter was written, at least in one county which he always regarded as favourable to his interests. This appears by the following letter from Mr. Charles Fairfax to his brother, then in London, as a representative of Boroughbridge.

TO THE RIGHT HONOURABLE HIS VERY GOOD BROTHER, FERDINAND, LORD FAIRFAX,

AT THE SARACEN'S HEAD, IN KING STREET, WESTMINSTER, PRESENT.

RIGHT HONOURABLE,

I WAS now, in respect of a present answer of this affixed letter to my sister, necessitated to the post, and having an earnest desire to salute your lordship with the least trouble, and to give you an account of some hard measures from my cousin Ingram Hopton, must present you this scribbling. Yesterday, the Commissioners for subsidies met for Claro. There, my mother and I, having a joint estate both in Claro and Skirack, tendered our monies (rated to four pounds in lands, a high proportion) and according to custom desired certificate. Sir Henry Goodrick, Mr. Ingleby, Mr. Marwood, and Mr. Stockdale assented without the least contradiction. Mr. Hopton opposed, in respect of residence, &c., and a long time refused to subscribe it, and did what he could to hinder the rest, but at last he did it. This day he sits for Skirack, whither I am now sending it, where, perhaps, he will get it disallowed: so may we be enforced to pay after eight

pounds in land, where four is too much. It is not safe for me to divide it; nor indeed have I reason; she and I being jointly interested in the lands in both wapentakes, though by permission of either we enjoy it in severalty: and for the objection of residence, we are much together, and this cavil of his will make us the more. I hope my nephew, Arthington, and the rest of those commissioners, will do me right, whatever he intends to the contrary; indeed I cannot guess at the reason of this carriage, but, however it prove, payment is the worst, and it will be heavy enough. My mother-in-law never before now admitted me an estate at Scough, yet had I the favour from commissioners, upon payment there, only certified in her name, and I living in another wapentake, upon show thereof, to be there excused; and now she has yielded that, it were my great loss to come to be severally assessed, namely, either of us, forty shillings. Excuse, I beseech you, this preposterous and confused scribbling, in haste, from

Your lordship's brother to serve you,

CHARLES FAIRFAX.

*22nd of April.**

The ill-advised contempt for the privileges of Parliament did not stop here; but with an apparent resolution to sweep on, regardless of all dictates but those of his own high will, the King seized the persons of several of the members. The house and person of Lord Brook

* The editor doubts whether this letter may not have been written in the year 1641, and consequently after the Long Parliament had met, which certainly granted subsidies; but the original was chronologically arranged in the Fairfax MSS. according to the date under which it is now inserted.

were searched for papers; whilst Henry Bellasis, Sir John Hotham, and John Crew, representatives respectively of Yorkshire, Beverley, and Northamptonshire, after examination before the Privy Council, were committed to prison for refusing to answer concerning their conduct in Parliament. Hotham and Bellasis were soon after discharged; but Mr. Crew was detained in the Tower until the assembling of the Long Parliament approached. His firmness should be recorded to his especial honour; for he was offered his liberty, if he would give up the names of those deprived clergy who had petitioned for relief, and whose only offence had been to decline reading the "Book of Sports" on the Sabbath.*

* Rushworth, III. 1196.

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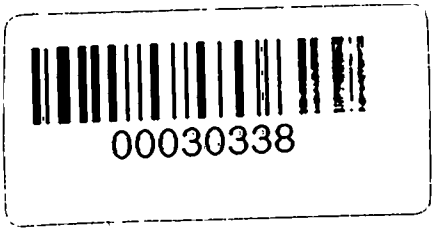

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